

Historic, archived document

Do not assume content reflects current scientific knowledge, policies, or practices.

WATER RESOURCES PLANNING ACT AMENDMENT

PLEASE RETURN TO USE
NATIONAL AGRICULTURAL LIBRARY
LAW BRANCH, LEGISLATIVE REPORTING
Rm. 117-E, Admin Bldg.
Wash. D. C. Ext. 4654

HEARING BEFORE THE SUBCOMMITTEE ON WATER AND POWER RESOURCES OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS UNITED STATES SENATE NINETIETH CONGRESS

SECOND SESSION

ON

S. 3058

A BILL TO AMEND THE WATER RESOURCES PLANNING
ACT TO REVISE THE AUTHORIZATION OF APPROPRIA-
TIONS FOR ADMINISTERING THE PROVISIONS OF THE
ACT, AND FOR OTHER PURPOSES

APRIL 22, 1968



Printed for the use of the Committee on Interior and Insular Affairs

U.S. GOVERNMENT PRINTING OFFICE

WASHINGTON : 1968

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

HENRY M. JACKSON, Washington, *Chairman*

CLINTON P. ANDERSON, New Mexico
ALAN BIBLE, Nevada
FRANK CHURCH, Idaho
ERNEST GRUENING, Alaska
FRANK E. MOSS, Utah
QUENTIN N. BURDICK, North Dakota
CARL HAYDEN, Arizona
GEORGE McGOVERN, South Dakota
GAYLORD NELSON, Wisconsin
LEE METCALF, Montana

THOMAS H. KUCHEL, California
GORDON ALLOTT, Colorado
LEN B. JORDAN, Idaho
PAUL J. FANNIN, Arizona
CLIFFORD P. HANSEN, Wyoming
MARK O. HATFIELD, Oregon

JERRY T. VERKLER, *Staff Director*

STEWART FRENCH, *Chief Counsel*

E. LEWIS REID, *Minority Counsel*

DANIEL A. DREYFUS, *Professional Staff Member*

SUBCOMMITTEE ON WATER AND POWER RESOURCES

CLINTON P. ANDERSON, New Mexico, *Chairman*

HENRY M. JACKSON, Washington
FRANK CHURCH, Idaho
FRANK E. MOSS, Utah
QUENTIN N. BURDICK, North Dakota
CARL HAYDEN, Arizona

THOMAS H. KUCHEL, California
GORDON ALLOTT, Colorado
LEN B. JORDAN, Idaho

(II)

CONTENTS

	Page
S. 3058.....	1
Executive communication.....	2

STATEMENTS

Caulfield, Henry P., Jr., Executive Director, Water Resources Council.....	11
Thompson, Sam, representing Interstate Conference on Water Problems, accompanied by Charles F. Schwan, Jr.....	26
Udall, Hon. Stewart L., Chairman, Water Resources Council, as read by Kenneth Holum, Assistant Secretary for Water and Power.....	2

COMMUNICATION

Ahlquist, H. Maurice, director, Washington State Department of Water Resources: Letter to the Interior and Insular Affairs Committee, dated April 5, 1968.....	28
--	----

WATER RESOURCES PLANNING ACT AMENDMENT

MONDAY, APRIL 22, 1968

U.S. SENATE,
SUBCOMMITTEE ON WATER AND POWER RESOURCES
OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10 o'clock a.m., in room 3110, New Senate Office Building, Senator Clinton P. Anderson (chairman of the subcommittee) presiding.

Present: Senators Anderson, Moss, Jordan of Idaho, and Burdick. Staff members present: Jerry T. Verkler, staff director; Stewart French, chief counsel; Daniel Dreyfus, professional staff member; and E. Lewis Reid, minority counsel.

Senator ANDERSON. The committee will come to order.

The purpose of this hearing before the Water and Power Resources Subcommittee this morning is to take testimony on S. 3058—introduced by Senator Jackson by request—to amend the Water Resources Planning Act to revise the authorization of appropriations for administering the provisions of the act, and for other purposes.

The bill would have the effect of removing the existing limitation of \$300,000 upon annual appropriations for carrying out the provisions of title I of the Water Resources Planning Act of 1965. These funds generally cover the operating expenses of the Water Resources Council which was established by the act.

At this point in the record we will insert a copy of the bill before us and a copy of the executive communication requesting the legislation.

(The data referred to follows:)

[S. 3058, 90th Cong., second sess.]

A BILL To amend the Water Resources Planning Act to revise the authorization of appropriations for administering the provisions of the Act, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 401 of the Water Resources Planning Act (Public Law 89-80; 79 Stat. 244) is amended to read as follows:

"SEC. 401. There are authorized to be appropriated to carry out the provisions of this Act—

"(a) such amounts as may be necessary to administer the provisions of titles I, II, III, and IV: *Provided*, That not to exceed \$400,000 annually shall be available to administer the provisions of title III; and

"(b) not to exceed \$6,000,000 annually to carry out the provisions of title II: *Provided*, That not more than \$750,000 annually shall be available for any single river basin commission."

WATER RESOURCES COUNCIL,
Washington, D.C., February 24, 1968.

HON. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is draft of a proposed bill to amend the Water Resources Planning Act (Public Law 89-80; 79 Stat. 244; approved July 22, 1965).

We recommend that this bill be referred to the appropriate committee for consideration, and we recommended that it be enacted.

This proposed legislation would revise the authorization of appropriations for administrative expenses in carrying out the provisions of the Water Resources Planning Act that is contained in section 401 of the Act. Aside from changing the sequence of the provisions of section 401, the draft bill would make only one change in the substance of the section. It would remove the limitation of \$300,000 annually from the authorization for appropriations for administering the provisions of Title I of the Act, and substitute an authorization for appropriations in such amounts as may be necessary. The other limitations now contained in section 401 would remain unmodified.

The passage of the Federal Salary Act of 1967 has necessitated either the removal of the limitation for administering the provisions of Title I or the curtailment of essential functions. Furthermore, experience under this Act since its enactment in July 1965, has pointed to the desirability of removing the appropriation limitation so that consideration may be given in future years to increase in appropriations to better carry out the functions and responsibilities of the Water Resources Council.

The Bureau of the Budget has advised that enactment of this draft bill would be consistent with the Administration's objectives.

Sincerely yours,

STEWART L. UDALL, *Chairman.*

(The draft bill enclosed is identical to S. 3058.)

Senator ANDERSON. Secretary Holum, I understand you have a statement. We will put your statement in the record and recognize you at this time.

STATEMENT OF HON. STEWART L. UDALL, CHAIRMAN, WATER RESOURCES COUNCIL, AS PRESENTED BY KENNETH HOLUM, ASSISTANT SECRETARY FOR WATER AND POWER

Mr. HOLUM. Thank you, Mr. Chairman. I am a little surprised to find myself before you this morning, but at the last minute Secretary Udall, who had intended to appear personally, found that his time had been preempted and asked me to appear in his stead. I am, of course, happy to be here to discuss the work of the Water Resources Council and the legislation pending before the Congress.

I am accompanied, as the Secretary would have been, by Henry Caulfield, executive director of the Water Resources Council. I hope that we will be able to supply the information that you and the members of the committee require. If not, I am sure that the Chairman of the Council, Secretary Udall, will be happy to supply the information in case there are problems that we cannot deal with.

This is only the second appearance of spokesmen for the Water Resources Council before the committee since the Council was created by act of Congress in 1965 and found itself immediately involved in the critical drought problems of the East at that time. With that in mind, Secretary Udall had planned to discuss in considerable detail the activities of the Council since that time.

I think, Mr. Chairman, it is only appropriate because I am here as his substitute that I read for the record what he had prepared to say this morning.

I think I can appropriately skip over the first three pages in this oral summary. I would want to note, however, in so doing, that Secretary Udall told me when he asked me to substitute for him this morning, to be sure and say to you and to the committee that from his point of view, and certainly as his representative on the Council of Representatives I share it, the Council is off to a good start. It has accomplished, in our judgment, everything that could be expected of an organization with such large responsibilities in such a short period of time.

The Water Resources Council came into existence partly because of your own concern over the relationship between the Federal agencies and the States in the field of water resource development. I think one of the outstanding accomplishments of the Council has been bringing together in a closer working relationship the State agencies and Federal agencies that deal in this water and related land resources field.

The Secretary was prepared to say, and I shall say for him, that never in our history, Mr. Chairman, have Federal-State relations in water resources planning been as close, cordial and cooperative as they have been since your successful conciliatory effort. One of the effective means that has been used in achieving this cooperation is the National Conference of State and Federal Water Officials, the first of which was held in Denver last September and the next of which is scheduled for Detroit in July of this year.

Having summarized the first three pages, Mr. Chairman, I shall begin at the top of page 4 and take the liberty of reading Chairman Udall's prepared statement to you.

In reviewing progress in implementation of the Water Resources Planning Act, I would remind you that the act has three principal titles:

Title I establishes the Water Resources Council and specifies its authorities and responsibilities;

Title II authorizes the establishment of Federal-State regional or river basin planning commissions; and

Title III authorizes matching financial grants to States for comprehensive water and related land resources planning.

S. 3058, the bill now before the subcommittee, would only affect the authorization of appropriations for administering title I. The limitations on appropriations relating to titles II and III would remain unchanged.

Thus I propose, first, to review briefly the Council's progress in implementing titles III and II; and then, with regard to title I, to discuss the progress in implementation of that title as well as the need for S. 3058. The Executive Director, Mr. Caulfield, whose testimony is scheduled to follow mine, will go into the need for S. 3058 in greater detail.

TITLE III—FINANCIAL GRANTS TO STATES

In title III of the act, the Congress has authorized the appropriation of \$5 million per year for 10 years for 50-percent matching grants for increased activity by the States in developing and participating

in the development of comprehensive water and related land resources plans.

For fiscal year 1967, the first year of the grant program, the Congress appropriated \$1,750,000 for grants to States. In the very first year of this new program, the Council received 46 applications out of a potential 53, and approved all 46 in accord with the provisions of the act and the Council's rules and regulations.

For fiscal year 1968, the Congress appropriated \$2,250,000. The Council received and approved 51 applications.

The fiscal year 1969 budget request now before the Committee on Appropriations includes \$2,500,000, an increase of \$250,000 over that for fiscal year 1968. On the basis of present indications, 51 out of the potential 53 grantees are again expected to request grants for fiscal year 1969.

The response of the States to the title III program has exceeded all expectations, reflecting a growing awareness by the States of the vital importance to them of becoming more involved in planning for the development and use of their water and related land resources. Many States have already made substantial progress in developing their capability for, and in engaging in, planning. This State response, Mr. Chairman, clearly validates your foresight in initiating some 10 years ago the proposal that led to title III.

TITLE II—RIVER BASIN COMMISSIONS

Under title II of the act, the Governors of the concerned States unanimously requested, the Council recommended, and the President has established to date four Federal-State river basin commissions: for the Pacific Northwest, Great Lakes, Souris-Red-Rainy and New England regions. Information as to date of establishment, officers, and members of these commissions is set forth in an attachment to this statement.

All four commissions were organized for the performance of their functions during 1967, within the 90 days specified in the act. They agreed upon rules of procedure, initial budgets, recommendations as to the sharing of staff costs between the States and the Federal Government, the division of these costs between the States, and initial staff authorizations. Subsequently, the four commissions have been developing their programs to carry out their functions as set forth in the act. All four have now selected their professional planning directors; and, in varying degrees, have recruited other staff. Covering the regions of all four commissions, comprehensive framework studies, the first step in implementing section 201(b) (2) of the act, are now underway. They are being funded annually by the Congress for participation by Federal departments and agencies.

The amount of funds provided for each commission in fiscal year 1968, including the salary and expenses of the Chairman, is within a \$200,000 limitation contained in the 1968 Appropriation Act. This limitation is substantially less than the \$750,000 limitation contained in section 401 of the act. Nevertheless, in its testimony before the Committee on Appropriations this year, the Council did not request reconsideration of the limitation. It sees no need to do so at this time.

Section 207 of the act provides that each commission shall recommend what share of its expenses shall be borne by the Federal Govern-

ment. In acting upon these recommendations, the Council has adopted the policy, which has been approved by the Committee on Appropriations, providing that the annual Federal contribution to each commission may equal 50 percent of total operating costs. The balance is funded by the participating States.

Governors of certain States within the Missouri River Basin and the Ohio River Basin have requested establishment of commissions for those basins, but the number of requests or concurrences so far, in each case, is insufficient for establishment. Discussion of the desirability of a Pacific Southwest River Basins Commission has occurred among representatives of the States concerned, but no official proposal for a commission has yet been made. Also certain States in the Upper Mississippi River region are actively considering this matter, as are certain others in the Southeast region.

The first four commissions, as I indicated, were established upon the initiative and unanimous request of the concerned States. State initiative is most desirable and the Council has not chosen to take such action upon itself. However, every opportunity afforded has been taken to make known to Governors and others the method of operation of Federal-State river basin commissions, and their advantages over other available means for Federal and Federal-State coordination and preparation of comprehensive river basin plans. As this information becomes widespread, and the present commissions demonstrate their advantages, further initiatives to establish additional river basin commissions will undoubtedly be taken by the States.

TITLE I—WATER RESOURCES COUNCIL

The Water Resources Council, as created by title I, was composed initially of the Secretaries of Agriculture; the Army; Health, Education, and Welfare; the Interior; and the Chairman of the Federal Power Commission. The Secretary of Transportation was added by the Department of Transportation Act of 1966.

Included by Council regulation, as associate members, are the Secretary of Commerce and the Secretary of Housing and Urban Development; and, as observers, the Attorney General and the Director of the Bureau of the Budget. All of these officials have substantial statutory responsibilities with regard to water. Section 101 of the act provides that "heads of other Federal agencies" shall be requested to participate with the Council when matters affecting their responsibilities are considered by the Council. Status as associate member or observer enables these officials to keep regularly informed of the business of the Council and decide for themselves when matters affecting their responsibilities are being considered.

Each of the members, associate members, and observers has named a representative who functions with the Executive Director in the conduct of the Council's business between meetings of their principals. The principals meet regularly every 3 months and on the call of the chairman. The representatives, with the Executive Director acting as a voting chairman, meet almost every week. Decisions at this level can be made only by unanimous agreement. Disagreements automatically become issues for consideration by the principals. Major matters, as

specified in Council rules and regulations, can be decided only by the principals.

This system of decisionmaking by the Council, which has been in effect since November 1966, has worked very well. It has enabled the Council to act upon many matters which clearly do not require face-to-face consideration by the principals. On the other hand, it identifies sharply the areas of real disagreement. Thus, the process assures that the matters that the principals do consider are important.

Let me mention the Council's functions, and some examples of the Council's work relating to each function:

First function.—To maintain a continuing study of the adequacy of supplies of water and related land resources to meet requirements, and to prepare a periodic national assessment (sec. 102).

Early in 1967 the Council decided upon plans for making the first national assessment, within the limits of available staff and other resources. A report on this basis is in the final stages of Council approval. It is now planned for publication in the next few months.

Based on readily available data, the report establishes the water situation for a base year, 1965; identifies current problem areas; and includes projections of water requirements for larger regions of the country. To the extent proven feasible, longrun water management problems are identified. Conclusions and recommendations with regard to them are being made.

Regional chapters have been prepared through cooperation of personnel of member agencies in the field and of the States. National summaries for each water development or use function have been prepared by member agencies. Council staff, with assistance from member agencies, is performing the necessary central staff work.

This first effort cannot be considered a full-scale national assessment within the meaning of Section 102. It represents all that is possible with present analytical methods and the organization of data for simultaneous coverage of the country as a whole, the current degree of completion of comprehensive regional framework studies, and availability of staff and other resources. Future national assessments, to be more adequate, will require more deliberate planning and preparatory work over a longer period and substantially greater Council input and other resources.

Second function.—To appraise the adequacy of administrative and statutory means for coordination and implementation of the water and related land resource policies and programs of the several Federal agencies to make recommendations to the President with respect to policies and programs (section 102).

Council appraisal of proposed Federal-interstate compact commissions for management of water and related land resources within river basins, with a view to advising the President upon them, is a major activity at the present time. The compact proposed by the Interstate Advisory Commission for the Susquehanna River Basin in 1966 initiated this work. Subsequently, the Council has focused upon the proposed Potomac River Basin Compact, and upon generally similar proposals for the Hudson River Basin. Substantial Council staff time, along with that of member agencies, is necessary to assist the Council in the development of concerted views.

To enable more widespread official and public consideration of such matters, the Council prepared and published in August 1967, a report on alternative institutional arrangements for managing river basin operations.

Also under the heading of policy development, the Council has initiated studies of current Federal policies with regard to the sharing of costs between the Federal Government and non-Federal interests for flood control and water quality investments in Federal and federally assisted projects. Its concern with flood control cost sharing stems from its broader concern with improved flood plain management. Its concern with cost sharing for provision of water quality features stems from views expressed several months ago in this committee and its counterpart in the other body.

The aim of the Council in both instances is to discover improved cost-sharing policies that would be practicable to administer and appropriate to recommend to the President for transmission to the 91st Congress in its first session.

As time and staff resources permit, review will be undertaken of the experience with the cost-sharing provisions of the Federal Water Projects Recreation Act and of other water and related land resource legislation.

Third function.—To establish, after consultation with appropriate interested Federal and non-Federal entities, and with the approval of the President, principles, standards, and procedures for Federal participation in the preparation of comprehensive regional or river basin plans and for the formulation and evaluation of Federal water and related land resource projects (section 103).

The principles, standards, and procedures for this purpose that were approved by the President on May 15, 1962, as supplemented and amended, are considered to be in full force and effect.

The document of May 15, 1962, established the discount rate to be used in the formulation and evaluation of water resource projects as the average rate of interest payable by the treasury on interest-bearing marketable securities of the United States which, upon original issue, had terms to maturity of 15 years or more. The discount rate for fiscal year 1968, based upon this formula, is $3\frac{1}{4}$ percent.

In his budget message this year, the President said the following: "The Water Resources Council is developing a more appropriate interest rate to be applied in formulating and evaluating water projects. The revised rate will be related to the average estimated current cost to the Treasury of long-term borrowing. It will be higher than the rate now in use for project evaluation. The new rate will be applied to future projects in order to assure the most effective use of Federal funds in the development of the Nation's water resources."

The Council has this subject under consideration. When it arrives at a proposed new regulation, that proposal will be published in the Federal Register. This will be done to solicit comment and encourage consultation with interested parties, before the Council, acting under section 103 of the Act, establishes any new formula for the determination of discount rates with the approval of the President.

As time and staff resources permit, the Council plans to review, generally, the standards of May 15, 1962, as supplemented and amended, with a view to formal implementation of section 103.

Fourth function.—To coordinate schedules, budgets and programs of Federal agencies in comprehensive regional or river basin planning (derivative of section 102(b)).

In response to the recommendation of the Senate select committee that comprehensive water development plans be prepared for all the Nation's major river basins, 10 comprehensive framework-type studies are underway. One "new start" for fiscal year 1969, that for the Great Basin, is now before the Committee on Appropriations. Others will need to be started later. More detailed comprehensive basin studies are also in process in 15 smaller basins.

Interdepartmental coordination of these studies predates the act. Greater effort is warranted to coordinate them than has been possible to date.

Fifth function.—To review comprehensive river basin plans prepared in the field and to transmit them, together with its recommendations, to the President for transmittal to the Congress (section 104).

One of the comprehensive framework-type studies, that for the Ohio River Basin, will be ready for Council review in July of this year. Two more detailed basin studies have been completed and are now before the Council for review and action. This review process is critical, not only to assure that a field study is technically sound and to arrive at appropriate Council recommendations, but also to discover needed changes in current instructions to improve preparation of such studies.

Sixth function.—To carry out its responsibilities with regard to the creation, operation, and termination of Federal-State river basin commissions (specified in title II).

The current status of Federal-State river basin commissions has already been discussed. I will only add here that this function demands substantial Council staff time, particularly that of the executive director, the deputy director and the administrative officer.

These six functions, together with the seventh (which I have already discussed), relating to the title III program, involve a very substantial body of work.

The most critical factor in the proper performance of these functions is dedicated and skilled staff work preparatory to Council deliberations. Whether deliberations are being conducted by representatives of the principals or the principals themselves, they are most fruitful when they can focus upon thoughtfully prepared documents, setting forth necessary analysis of facts, clear identification of issues, and alternative courses of action that might be taken.

In a body of this kind, not all staff work for the Council should be undertaken by the Council staff. Much staff work should continue to be done by the departmental staffs, but this, too, requires arrangements to be made by the Council staff. Adequate control staff work is clearly a critical factor in the Council's performance of its function.

The Council staff now numbers 24 persons, including clerical employees. Ten of these employees work on the title III grant program.

The remaining 14, which includes the executive director and deputy director, clearly constitute an inadequate staff input in the opinion of the Council members themselves.

The Bureau of the Budget has concurred in this conclusion. In addition, the Bureau advised that the Council's functions would best be

performed if the limitation of \$300,000 with regard to title I were removed. If the limitation is removed, the President would then be permitted to request the Congress for funds, as he believes to be necessary each year, for administration by the Council of the provisions of the act, except as regards title III, which would retain its appropriation ceiling.

I want to say here definitely and clearly that the Council has no ambition to have a large staff, nor otherwise have very large sums to administer. Nevertheless, it believes with the Bureau of the Budget that the kind of flexibility in funding provided by S. 3058 would be highly desirable.

In closing, I would like to add a final point bearing on the matter of flexibility. The National Water Commission bill is a major example of bills enacted or now under consideration by the Congress which would add to the work of the Council. The National Water Commission bill contemplates a close working relationship between the Commission and the Council. But also, it places a clear obligation upon the Council to consider carefully the Commission's reports and submit its own views to the President on those reports. The increased burden on the Council's staff with the advent of the Commission cannot be clearly foreseen at this time, but it will be substantial. This committee, the Congress, and the administration are expecting a great deal, and rightly so, from this dual effort by the Commission and the Council. If the Council is to perform its projected role, in addition to proper performance of its present statutory duties, the administration must have the means to respond to the Council's needs through timely requests to the Committee on Appropriations.

That concludes Secretary Udall's statement, Mr. Chairman.

I will not read the attachment to the statement but would like to insert it at this point.

Senator ANDERSON. It will be printed at this point in the hearing record.

(The attachment referred to follows:)

[ATTACHMENT]

ESTABLISHED TITLE II RIVER BASIN COMMISSIONS

Pacific Northwest River Basins Commission

Established by Executive Order 11331 on March 6, 1967.

Federal Members

Charles W. Hodde, Chairman
Representatives of:
Department of Agriculture
Department of Army
Department of Commerce
Department of Health, Education
and Welfare
Department of Housing and Urban
Development
Department of Interior
Department of Transportation
Federal Power Commission
Chairman, United States Entity for
Columbia River Treaty

State Members

William S. Holden, Vice Chairman and
Member for Idaho
Other Member States:
Montana
Oregon
Washington
Wyoming

Great Lakes Basin Commission

Established by Executive Order 11345 on April 20, 1967.

Federal Members

Raymond F. Clevenger, Chairman
 Representatives of:
 Department of Agriculture
 Department of Army
 Department of Commerce
 Department of Health, Education
 and Welfare
 Department of Housing and Urban
 Development
 Department of Interior
 Department of Justice
 Department of Transportation
 Federal Power Commission

State Members

Fred E. Morr, Vice Chairman and
 Member for Ohio
 Other Member States:
 Illinois
 Indiana
 Michigan
 Minnesota
 New York
 Pennsylvania
 Wisconsin

Souris-Red-Rainy River Basins Commission

Established by Executive Order 11359 on June 20, 1967.

Federal Members

Gordon K. Gray, Chairman
 Representatives of:
 Department of Agriculture
 Department of Army
 Department of Commerce
 Department of Health, Education and
 Welfare
 Department of Housing and Urban
 Development
 Department of Interior
 Department of Transportation
 Federal Power Commission

State Members

William C. Walton, Vice Chairman and
 Member for Minnesota
 Other Member States:
 North Dakota
 South Dakota

New England River Basins Commission

Established by Executive Order 11371 on September 7, 1967.

Federal Members

R. Frank Gregg, Chairman
 Representatives of:
 Department of Agriculture
 Department of Army
 Department of Commerce
 Department of Health, Education and
 Welfare
 Department of Housing and Urban
 Development
 Department of Interior
 Department of Transportation
 Federal Power Commission

State Members

Austin H. Wilkins, Vice Chairman and
 Member for Maine
 Other Member States:
 Connecticut
 Massachusetts
 New Hampshire
 New York
 Rhode Island
 Vermont

Mr. HOLUM. Mr. Chairman, I should like to suggest, with your concurrence, that Henry Caulfield, the Director of the Water Resources Council, supply his information to the committee at this time.

Senator ANDERSON. You have a statement about the limitation of \$300,000. Do you favor taking off this limitation?

Mr. CAULFIELD. Yes.

Senator ANDERSON. Go ahead, Mr. Caulfield.

Mr. CAULFIELD. Thank you, Mr. Chairman.

STATEMENT OF HENRY P. CAULFIELD, JR., EXECUTIVE DIRECTOR,
WATER RESOURCES COUNCIL

Mr. CAULFIELD. I appreciate this opportunity to appear before you as a witness, my first such opportunity, and to supplement the remarks delivered by Secretary Holm on behalf of the Chairman of the Water Resources Council in support of S. 3058—to amend the Water Resources Planning Act to revise the authorization of appropriations for administering the provisions of the act.

As has already been indicated, the substance of S. 3058 relates only to title I of the act and would not change the present limits on appropriations relating to titles II and III. In the opinion of the Council members, in which the Bureau of the Budget concurs, the staff and other resources available to the Council under title I is inadequate to carry out its functions. For this purpose, the Council's annual appropriations are now limited to \$300,000 by section 401 of the act.

Before discussing in greater detail the need for greater financial resources, I believe it would be helpful to you if I discussed the present organization and staffing of the Water Resources Council staff and present arrangements for providing necessary inputs in implementation of the Water Resources Planning Act.

Water Resources Council staff.—Under the Council's rules and regulations, the Executive Director acts as the principal executive officer for the Council and head of the Water Resources Council staff. He is appointed by and serves at the pleasure of the Council members.

Among other duties, the Council's rules and regulations provide that the Executive Director shall insure that "the quality of the work of the staff in its studies, reports and in other assignments is high, that the professional integrity of its personnel is respected, and that its overall perspective and independence of judgment * * * is appropriately maintained within the context of the interagency, intergovernmental and other staff collaboration that is both necessary and desirable in fulfillment of the purposes of the Council * * *."

The personnel selection policy established by the Council calls for a "balanced ticket" as between professions pertinent to water and related land resources matters; as regards prior Federal agency affiliations; as well as Federal service in comparison to experience in State or local government, private enterprise and university teaching and research.

My training is as an economist and my prior experience in Government in the natural resources field was in the Department of the Interior as well as in research outside Government with Resources for the Future, Inc.

The Deputy Director, Reuben Johnson, is a civil engineer with 24 years' experience in the Corps of Engineers. His most recent corps assignment, before coming with the Council, was Chief of the Planning Division, U.S. Army Engineer Division, South Pacific, at San Francisco.

The Assistant Director for Planning and Research Adviser, Harry Steele, is an economist with 31 years' service in the Department of Agriculture. Prior to joining the Council staff, Mr. Steele was Chief of the Natural Resources Economics Division of Agriculture's Economic Research Service. He has long been associated with water and related

land resource planning, both in the field and in Washington; and in 1952 he was Assistant Executive Director of the President's Missouri Basin Survey Commission.

Parenthetically, I would like to point out here that Mr. Steele, in his role for the Council as research adviser, is a member of the Committee on Water Resources Research of the Federal Council for Science and Technology and Chairman of its Work Group on Research in Support of Water Resources Planning. In this role he brings knowledge from the water research community to the Council and makes that group aware of needed research from the point of view of the Council.

The Assistant Director for State Grants, Dr. Harold G. Wilm, has his professional training in forestry and watershed management. Dr. Wilm came to us from the State College of Forestry, Syracuse University, where he was associate dean. Previously, for some 7 years, he had been commissioner of conservation and chairman of the Water Resources Commission of the State of New York.

The Assistant Director for Policy and Legal Adviser is Philip M. Glick. Mr. Glick most recently has been a lawyer in private practice for some 13 years. Previously, he had extensive experience as a legal officer in the Department of State, Department of the Interior, and the Department of Agriculture. He is widely known as the author of the Standard State Soil Conservation District Act—largely followed by all 50 States in authorizing the establishment of soil conservation districts.

Parenthetically, I would like to point out here that Mr. Glick in his role for the Council as legal adviser advises on all legal problems arising under and relating to the Water Resources Planning Act.

The other professional members of the Water Resources Council staff are similarly varied in their professional training and experience.

I would like now to go into the staff work and how it is organized.

Work preparatory to exercise of Council's functions, other than under title III.—Work preparatory to exercise of the Council's functions, other than under title III, is largely conducted at the present time within the context of three administrative groups: The Planning Committee, Policy Committee, and a Task Force on Institutional Arrangements for River Basin Management. Representatives of member departments and agencies serve on each of these groups and their chairmen are, respectively, the Assistant Director for Planning and Research Adviser, the Assistant Director for Policy and Legal Adviser, and the Deputy Director.

To advise the Council in connection with its functions on a more technical level, and to provide needed technical coordination among departments and agencies, the Council sponsors four technical committees whose members largely are employees of member departments and agencies and are named by them: Hydrology, sedimentation, economics, and vector control—the last relating to disease-bearing mosquitoes. The chairmanship rotates among the members. For these technical committees the Council now provides only a place to meet, modest consultant and clerical services and in some instances meets modest requirements for reproduction of their technical bulletins and reports.

In December 1967, for example, the Council published a uniform technique for determining flood flow frequencies. Lack of uniformity

on this technical subject has long caused confusion among Federal, State, and local agencies. The Council's Hydrology Committee, composed of 10 top hydrologists within the Federal Government assisted by two outside consultants, did an outstanding job in producing this greatly needed report which the Council adopted. Other work of this nature is underway in the technical committees.

Now, I would like to discuss briefly the various functions of the Council, but under the heading of the organizational arrangements that I have set forth.

In performance of work preparatory to exercise by the Council of four of the functions identified by Mr. Holm, the Assistant Director for Planning and Research Adviser and the Planning Committee are now assisted by three WRC professional staff members.

The first function noted was the national assessment, and our work on that has already been explained to you. I would only like to add here that the Council could only afford to allocate one man-year of professional time, in addition to the part-time contribution of the Assistant Director, to this major and important task.

If it were not for the nonreimbursable loan of personnel and technical and editorial assistance, from member agencies, preparation of most chapters in the member agencies and in field groups, in which State personnel also participated, and defrayal of costs for drafting of charts and maps and for printing by the member agencies, publication in the near future of the First National Assessment would not be possible under present fiscal arrangements.

The Council anticipates that research undertaken under auspices other than the Council will provide markedly improved technical methods of preparing national assessments in the future. Also, because our first effort has shown clearly that substantial improvements are needed in the Nation's water use data, the Council has already organized a work group, aided for a short time by two outside consultants, to make a preliminary investigation of this important problem.

In addition to a modest number of permanent WRC professional staff for this function in future years, temporary professional and editorial help funded by the Council, plus funds to hire computer time to make necessary analyses, will be needed during the next period of assessment preparation.

Third function—Establishment of planning principles, standards and procedures: Secretary Holm on behalf of Secretary Udall, already has noted our work in this area today. Approximately one-fourth man-year of professional WRC staff time, in addition to the part-time contribution of the Assistant Director, is now devoted to development of principles, standards and procedures—and this has had to be confined to flood plain planning analysis. Fortunately, as Chairman Udall indicated, the principles, standards and procedures approved by the President on May 15, 1962, as supplemented and amended, are in full force and effect.

Background staff work on the matter of discount rates, which Chairman Udall discussed, is being performed almost entirely by the Council's economics committee.

A very few highly qualified professional staff members could enable the Council to make very worthwhile and substantial progress in the conduct of this function. Work of this type could make a very substantial contribution to improved planning in the field.

Also, I might add in this connection that training of planning personnel—both Federal personnel in the field as well as State professional personnel—could contribute substantially to improved planning. Shortage of adequately trained personnel appears to be the chief stumbling block at the present time facing State agencies in developing their competence with the aid of title III funds. A number of these agencies are utilizing the training provisions of title III to help themselves in this regard. Federal agencies, of course, have authority and funds for training their personnel. And the universities, speaking through the universities Council on Water Resources, have expressed their ability and willingness to make their contributions in this regard. Nevertheless, there is need for a sharp focus to bring these efforts together and to effectively match a competent supply of personnel with the potential demand. The Council has been thinking of its appropriate role in this situation as one of a catalyst and coordinator. No action has yet been taken because of preoccupation of staff with other important matters.

Fourth function—Coordination of comprehensive planning schedules, budgets and programs: Chairman Udall's statement also indicated in his testimony the 10 large-basin comprehensive framework studies and the 15 small basin more detailed comprehensive studies that are now underway.

Budgets for comprehensive studies coordinated by the Council are formulated initially in the field by the appropriate Federal-State coordinating group in each area. Each such field-coordinated budget is then reviewed and approved by the Council and submitted to the Bureau of the Budget for its consideration when acting upon the individual budgets of each participating department and agency. During the life of a study, each budget is reviewed annually in accordance with general guidelines of the Council by the field coordinating group with a view to proposing any necessary reallocations of effort or other adjustments. For example, the coordinated budget for the Columbia-North Pacific Comprehensive Study is now reviewed each year by the new Pacific Northwest River Basins Commission. Proposed changes are considered and approved by the Council and then submitted to the Bureau of the Budget.

The aim of this coordination process is to avoid duplication of effort between the several participating Federal departments and agencies, to achieve a balanced planning effort in terms of their respective responsibilities and capabilities, and to assure so far as possible that all related planning adds up properly and that the total makes sense. The aim also is to avoid duplication with State and other non-Federal planning activities and to identify specific inputs that non-Federal entities are able to make to these studies. These inputs are now supported, in part, by financial grants from the Council provided under title III of the Water Resources Planning Act. As contemplated by that act, comprehensive river basin studies coordinated by the Council will increasingly include planning aimed toward desirable non-Federal actions in addition to Federal projects.

Only 1 man-year of the Council's professional staff time, in addition to the contribution of the Assistant Director, can now be devoted to this important work. A modest increase would pay for itself several times over in better planned studies and coordinated budgets.

In this connection, I would also like to mention another funding problem. All comprehensive planning studies require economic projections well into the future for the basin or basins that they cover, to provide a basis for determining long-run water and related land resource requirements. Predating the Council, arrangements were made for consistent professional preparation of necessary projections through the joint effort of the Office of Business Economics of the Department of Commerce and the Economic Research Service of the Department of Agriculture. The funds in support of this effort become charges upon the appropriations of the several other Federal agencies participating in the studies. The Council's periodic national assessments also require such economic projections for a base year covering all regions of the country. No decision has yet been made, but the Council has under consideration alternative means to finance preparation of these projections in the future that might be more efficient and less cumbersome. One of these alternatives is for the Council itself to provide the necessary funds to meet the marginal costs of OBE-ERS in preparing the required projections out of appropriations made available to it. Without change in the authorization of title I funds, this alternative is not possible of adoption.

Fifth function—Review of comprehensive planning studies completed in the field: Mr. Udall's statement also included where we stood on this matter, with one large study coming in in July, and as I indicated here, two studies already before us from the Council for the Sabine River and Pascagoula River Basin. For this effort, at the present time, we only have three-fourths of a man-year of professional staff time devoted to this work. As the studies now underway in the field are completed, increased staff time must be devoted during fiscal year 1969 and subsequent years to this very important fifth function.

Now, I would like to shift to the functions associated with the Assistant Director for Policy and Legal Adviser, and the Policy Committee. In performance of work preparatory to exercise by the Council of its second function—policy development—the Assistant Director for Policy and Legal Adviser and the Policy Committee are now assisted by only one WRC professional staff member.

As has been pointed out to you, the Council has initiated studies of current Federal policies with regard to the sharing of costs between the Federal Government and non-Federal interests for flood control and water quality investments in Federal and federally assisted projects. "The aim of the Council in both instances," Secretary Udall said, "is to discover improved cost-sharing policies that would be practicable to administer and appropriate to recommend to the President for transmission to the 91st Congress in its first session." Also, he noted that review will be undertaken to the extent permitted by the availability of time and staff of experience with the cost-sharing provisions of the Federal Water Projects Recreation Act and other water and related land resource legislation.

I should like to add to these tasks the work the Council is undertaking in considering proposed legislation, both that which is initiated in the Congress and that proposed by the executive branch to the Congress. The Council has been highly selective among the many legislative proposals that it could consider, and has confined its consideration largely to those that relate to two or more Federal depart-

ments and agencies. The proposed Flood Insurance Act, currently before the Congress, is an example of a bill on which the Council usefully worked before the administration's report was transmitted to the Congress. Besides the Department of Housing and Urban Development which would administer the flood insurance program, certain of the provisions of the bill relate to the work of the Departments of the Army, Agriculture, and the Interior.

Of necessity, of course, the Council must consider proposed legislation that would involve an addition, I might even just say a change, to its own functions. For example, S. 2564, now before the Joint Committee on Atomic Energy, provides that the Atomic Energy Commission, prior to determining whether or not a license for a nuclear powerplant shall be issued, shall request the advice of the Water Resources Council regarding "the compatibility of the proposed facility with any comprehensive, coordinated joint plan for water and related land resources development which has been approved for a region, river basin, or group of river basins in which such facility is to be located."

The Council's legislative reports, like those of all Federal departments and agencies, are cleared with the Bureau of the Budget before they are transmitted to the Congress. Thus, the role of the Council in this field does not infringe upon the longstanding role of the Bureau of the Budget. What the Council usefully adds, in my opinion, to the process of consideration within the executive branch is face-to-face interdepartmental consideration in an effort to identify oversights, improve clarity, and overcome any interdepartmental disagreements. Such useful face-to-face consideration is not normally a part of the clearance procedure of the Bureau of the Budget.

Because the Assistant Director for Policy and legal adviser is now preoccupied for half his time, at least, with the next matter I will discuss, with title III, and with other legal matters, his professional input to policy development along with that of his one professional assistant is clearly inadequate to meet the Council's needs.

To make up for this present deficiency, the Council has called upon staff in the several Federal departments and agencies associated in its work to perform necessary staff work. Such assistance will always be useful and desirable. Necessary competence on particular matters might not otherwise be possible to procure. Nevertheless, greater WRC professional staff is clearly required.

Next, we shift to the Deputy Director and the Task Force on Institutional Arrangements for River Basin Management.

Institutional arrangements for river basin management, as has been noted, also come within the Council's second function implementing section 102(d) of the act. In addition to his duties of assisting the Executive Director in overall management of the WRC staff and of sharing with him and the administrative officer and Council secretary, the staff burden relating to the Council's sixth function—responsibilities regarding creation, operation, and termination of Federal-State river basin commissions, the Deputy Director is Chairman of the Council's Task Force on Institutional Arrangements for River Basin Management. He is assisted in this role by the Assistant Director for Policy and legal adviser.

You will recall in Chairman Udall's testimony, at the present time we are making an appraisal of proposed Federal-interstate compact

commissions for management of water and related land resources within river basins. He mentioned in this regard the proposed compacts for the Susquehanna, Potomac, and Hudson River basins.

Presumably, the establishment of concerted basic policy views within the executive branch on this subject will not require substantial concern by the Deputy Director indefinitely. Nevertheless, our intensive experience with problems in connection with river basin compact negotiation and consent legislation, as well as Federal representation in connection with existing compacts, has raised questions about the adequacy of present Federal attention and the need for greater Federal continuous focus.

I would like to summarize the effect of what I have said in financial terms.

To summarize, the total WRC professional staff now available to perform all of the work outlined to you this morning under title I of the act is eight men. This number includes the Executive Director, the Deputy Director, and the legal adviser who, along with the administrative officer and Council secretary, must also involve themselves as required with the financial grant program of title III.

For fiscal year 1968 the Congress appropriated \$290,000 in support of the Council's six functions under title I. The budget proposal for fiscal year 1969, now before the Congress for consideration, totals \$311,000. The increase over fiscal year 1968 is due solely to the initial impact of the Federal Salary Act of 1967 and increased operating costs. If the present ceiling of \$300,000 is not lifted, a cut in present staff work will be unavoidable.

The President's budget for fiscal year 1969 indicated that additional authorizing legislation would be proposed. By letter of February 24, 1968, the Chairman of the Water Resources Council transmitted to the President of the Senate, draft authorizing legislation, indicating that the Bureau of the Budget had advised the Council that enactment of the draft legislation would be consistent with the administration's objectives. S. 3058 embodies the provisions of the draft, as submitted.

In closing, I would just like to reiterate a statement in Chairman Udall's statement to you "that the Council has no ambition to have a large staff, nor otherwise have very large sums to administer." To have such, in my personal opinion, would tend to defeat the purpose of the Congress in establishing the Council. Nevertheless, I also believe that the financial resources now available to implement title I are clearly inadequate for proper performance of its appointed role and that the kind of flexibility in funding provided by S. 3058 would be highly desirable.

The Water Resources Council, as indicated by the testimony that you have heard this morning, has made substantial progress toward achievement of those things that you, Mr. Chairman, the committee and the Congress would appear to have had in mind with the enactment of the Water Resources Planning Act. With your continued support I am certain that the Water Resources Council can accomplish much more that is both useful and important, and within its appointed role, for the benefit of the American people.

Thank you, Mr. Chairman.

Senator ANDERSON. Thank you. You are asking for a raise in the limitation of \$300,000.

Mr. CAULFIELD. The proposal before you, sir; would remove the limitation of \$300,000.

Senator ANDERSON. How much of a burden is that now? You do not have enough money?

Mr. CAULFIELD. Pardon me?

Senator ANDERSON. You are \$11,000 short?

Mr. CAULFIELD. At the present time, in terms of 1969, but we feel that in terms of the future, sir, the President should be in a position to be able to request more. It is not just the technical question of the \$11,000 needed in terms of the 1969 budget, but further, the point that we have attempted to make in analysis of the Council's functions, is that we just do not have the critical minimum of staff needed to perform well the functions that Congress set out for us in the Water Resources Planning Act.

Senator ANDERSON. Senator Jordan?

Senator JORDAN. Thank you, Mr. Chairman.

I had hoped the Secretary would be here to help me orient myself to some of the programs that are going on here. First, let me say I approve wholeheartedly the work that is being done by the Water Resources Council under this act.

As you have indicated, Mr. Secretary, under title II, several river basin commissions have already been established at the request of the Governors of the concerned States. Such a commission has been established for the Pacific Northwest, under title II of the act—the Pacific Northwest Basin Commission—and it is operating very effectively. Mr. Charles W. Hoddy is chairman. The vice chairman is William S. Holden. He is also a member for Idaho.

Under the provisions of this act we are going forward in the Pacific Northwest, at least, with a comprehensive river basin plan. Repeatedly throughout your statements, both of you this morning have emphasized the need for comprehensive planning studies that require economic projections well into the future for the basin or basins that they cover in order to provide the basis for determining long run water and related land resource requirements.

I am leading up to a question now because I cannot understand how the Department in one instance can recommend thorough research and investigation of land and water resources and on the other hand come out with the wild rivers bill that completely counteracts the effect of the long-range studies that you recommend here.

In my State, for instance, the Department insists on including the Salmon River as a wild river, thus guaranteeing that this wholly Idaho River, which drains 30 percent of the water resources of my State, shall leave the State undiminished. You do not give time for the effects of these studies to be taken into account, for the great research that is already being set up and being implemented under this act to become effective. You prejudge the results and would determine, without the economic study that you have advocated here, that certain rivers will be so dedicated and removed from further study by the Wild Rivers Act.

Now, I would ask you, Mr. Secretary, in the instance of a conflict between making a thorough investigation, research joined in by the States and Federal Government with respect to the best uses for the waters of the river basin and related land resources, and a preemptory

judgment on that river that sets it aside, that guarantees that it be used for a single purpose use alone, where does the Department stand? For study or for the preemptive use of a river for a single purpose use before the studies are completed?

Mr. HOLUM. Senator Jordan, that is an excellent question and I share with you the wish that Secretary Udall were here to answer this for you. It may well be that he will want to supplement my answer for the record.

I think, however, that the two proposals are consistent. As far as the work of the river basin commissions is concerned and the comprehensive planning, it has also been recognized that we were going to go ahead and make decisions while this planning was going on. This committee has on occasion, with my enthusiastic support, authorized the construction of certain projects, and I think the planning is consistent with the attention of the Congress and the administration to the establishment of these commissions. I think it is also consistent with that principle that we make other decisions as needed, and that the wild rivers legislation does deserve careful consideration by the Congress.

Senator JORDAN. Would you agree with me that, where there is a conflict, it would be well to pause and give some consideration to a thorough research and study of the water resources and the related land resources that might be developed with the use of that water?

Mr. HOLUM. I am always in favor of studies, Senator Jordan. I would cite a case where I am more intimately familiar, the Potomac River, where after consideration, and I hope the Congress will in the near future act favorably upon it, the Department and the administration have recommended the creation of the Potomac National River, safeguarding this important riverway from Great Falls to Cumberland. But, I do think we have to make some decisions on current projects while these studies are going on, and certainly I know that Secretary Udall shares with you your enthusiasm for the work that Chairman Hoddy and his group are doing in the Pacific Northwest.

I think the Pacific Northwest River Basin Commission is off to an excellent start and that they are going to do a splendid job in the Pacific Northwest.

I do not think the enactment of the wild rivers legislation is inconsistent with that effort.

Senator JORDAN. Well, I am sure it is, Mr. Secretary, and if you will indulge me sometime in a private conference I will show you exactly how it is in conflict with what you are proposing here. If the Salmon River is included in the wild rivers bill, I see the end of the road. We do not need to go into all of these studies that you are talking about here because we will have dedicated our remaining water supply to a single-purpose use. We would just as well withdraw from the studies that go forward in the Columbia Basin. We will not need to study our water resources any more. You have already reached a judgment for us ahead of the studies that we hoped we could make.

Mr. HOLUM. I will be very happy, Senator Jordan, to have your views and I shall carry them back to the Secretary as you expressed them.

Senator JORDAN. He knows them already.

Senator ANDERSON. I think you ought to ask Secretary Udall.

Mr. HOLUM. I shall do that.

Senator ANDERSON. There is a conflict and we might as well face it.

Mr. HOLUM. I shall do so.

(The information requested is as follows:)

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., April 25, 1968.

HON. CLINTON P. ANDERSON,
Chairman, Subcommittee on Water and Power Resources,
Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

DEAR SENATOR ANDERSON: I am pleased to respond to the matter raised by Senator Len B. Jordan in connection with Assistant Secretary Kenneth Holum's testimony before your subcommittee on April 22, 1968.

Senator Jordan indicated he believes there is a conflict between the comprehensive planning program conducted under the provisions of the Water Resources Planning Act (Public Law 89-80) and the proposal to designate certain wild or scenic rivers in accordance with pending legislation.

The comprehensive study now being directed by the Pacific Northwest River Basin Commission has, as the basic objective, the formulation of a framework plan to provide a broad guide to the best use or combination of uses of water and related land resources of the region to meet foreseeable short- and long-term needs. Consideration will be given to development and management, as well as the preservation of resources. These studies were initiated in 1966 and are scheduled to terminate in 1971.

From the inception of the comprehensive study program in 1963, it was understood that no moratorium was declared on ongoing water resources programs. The preparation of comprehensive plans has not deterred the submission of individual project reports to the Congress or the construction of projects in the regions under study.

In my view, the proposed scenic rivers legislation is quite compatible with the comprehensive study program, in that one of the goals of such legislation is to highlight those rivers known to have outstanding attributes worthy of preserving in their natural condition. This is in consonance with objectives of planning set forth in Senate Document No. 97, 87th Congress, 2d Session, "Policies, Standards, and Procedures in the Formulation, Evaluation, and Review of Plans for Use and Development of Water and Related Land Resources."

Senator Jordan specifically mentions the Salmon River in Idaho as being an example of a conflict between the comprehensive studies and the scenic rivers program. While I appreciate his views, I believe there are adequate data developed by a specific study to justify scenic river status for segments of the Salmon River. This stretch of the Salmon is one of the finest scenic rivers in the United States. As you know, the Salmon River was included in S. 119 passed by the Senate on August 9, 1967.

Thank you very much for the opportunity to supplement the record on this matter.

Sincerely yours,

STEWART L. UDALL,
Secretary of the Interior.

Senator ANDERSON. Senator Moss?

Senator MOSS. Thank you, Mr. Chairman.

As I understand it, you are willing now to retain the ceiling on title II and title III as provided but wish to have no ceiling of expenditure at all on the title I functions.

Mr. HOLUM. That is correct.

Senator MOSS. Do you consider it wise to abandon the ceiling entirely rather than just ask for an increase of ceiling?

Mr. HOLUM. Senator MOSS, that is the decision as I well know that the Congress always makes, but the Congress will have the opportunity, through the appropriations process, to review the requests of the Council for funding under title I. I think that our experience has demonstrated the good work that the Council has done up to

now, but it is a little difficult to predict what the funding requirements are going to be and what the needs are going to be on the part of the Council. I would like to suggest, as the legislation does, that no ceiling be imposed but that the Appropriations Committee continue to review these items as carefully as they have in the past.

Senator ANDERSON. Will the Senator yield?

Senator MOSS. Certainly.

Senator ANDERSON. Will you try to submit these actual figures? If the personnel cost is just changed by \$11,000, why do you not ask for that much ceiling on top of what you now have?

Mr. HOLUM. Principally because, Senator Anderson, and I think the Director, Mr. Caulfield, has done an excellent job of explaining it, and my own experience as the Department's representative on the Council has clearly indicated, that we not only need additional authority for funds to take care of the pay increase but the Council does need modest increases in its staff to do its work adequately.

Senator ANDERSON. Suggest exact language. I think it would be much better if you would.

Senator MOSS. I noticed in both the Secretary's testimony which you presented, and that of Mr. Caulfield, there was a disclaimer of any desire to have a sizable staff, that is, a large staff, but nevertheless, we are confronted with going from a situation where we now have a ceiling to one of no ceiling at all, and I think you can see the political problem that that might present in persuading the Congress that this is a necessary thing to do. It would be so much simpler and more logical if you just increased the limitation amount. That is the only reason I raise this point.

Thank you, Mr. Chairman.

Mr. HOLUM. I understand.

Senator ANDERSON. Senator Burdick.

Senator BURDICK. Mr. Chairman, I arrived late and I will defer my cross-examination and read the testimony very carefully.

Senator ANDERSON. I do hope you will try to answer the points that Senator Jordan made.

Mr. HOLUM. I certainly shall.

Senator ANDERSON. The Secretary ought to answer himself.

Thank you very much.

Will you answer four or five questions now?

Mr. VERKLER. The ones that are on the paper.

Senator ANDERSON. The staff of the committee has prepared some questions and I wish you would read the question and supply the answer to it. Read the question, please, and then supply the answer.

Mr. HOLUM. "The Director of the Water Resources Council has testified before the Senate Appropriations Committee that future editions of the national assessment might require greater staff input. Is it possible to predict the magnitude of the necessary expansion of the Council's staff at this time?"

Mr. CAULFIELD. As I indicated in my statement with regard to the "national assessment," the way I conceive of the staffing problem is that we need a very few people—my present judgment is three professional staff people who are all the time in the employ of the Council—working on national assessments during the period of preparation, intensive preparation, as well as developing the methods and developing

the work and improving the plans for national assessments in the interim between the intensive peak periods. And then, we need enough money to hire temporary staff, consultants and computer time in the periods of intensive activity to come out every 2 or 3 years—whatever the requirements are—to come out with a periodic national assessment.

Now, we have a continuing problem of funding for the national assessment as well as the peak problem, and that is the problem we have in financing in this particular activity.

Senator ANDERSON. You could specify jobs and could not specify dollars. I think you ought to try to put in the proposal exactly what you really want.

Mr. HOLUM. The second question is, "In reviewing principles, standards, and procedures for the planning of water resource projects, such as the appropriate interest rate, the Council utilizes committees and work groups composed of personnel from other agencies. This insures the consideration of the various problems and viewpoints of the agencies involved, but it fragments the research and administrative support among staff personnel of those agencies who are not directly responsible to the Council. Will additional administrative and lower grade technical support be necesasry to facilitate the performance of this function?"

Mr. CAULFIELD. If I get the thrust of the question properly, I would say that the need for the staff of the Council is because we do not have what I referred to before, as a critical minimum of staff. We have to call upon the agencies too often for doing, literally, staff work for the Council. This is not to say that the agencies should not participate, and even including staff work, in the work of the Council. I think it is highly desirable that they do so. Otherwise we would get a divorce between Council staff and the agencies. We are not seeking that, because I do not think you can have an effective Council without intimate relationship between the staff of the departments and the staff of the Council.

The point is that the Council needs additional administrative and lower grade technical support—I would say really the problem is one of higher grade professional support, grade 14's and 15's, with the necessary secretaries, and so forth, to go with that. The type of work that grades 14 and 15 perform in professional activity is the critical element in the staff work for the Council.

I hope that is responsive to the question.

Senator ANDERSON. No. 3.

Mr. HOLUM. Question 3, "the comprehensive river basin studies are participated in by a number of Federal agencies. The total budget for the effort is reviewed by the Council, but portions of the funds are included in the budget requests of a number of agencies which come before different appropriations subcommittees. The situation is further complicated by contractual arrangements and fund transfers among the agencies involved. Is it advisable in the future to consolidate some part of the comprehensive river basin funds under the Council's budget request?"

Mr. CAULFIELD. We, the Council and the Bureau of the Budget, have not given consideration to the question of whether the appropriations for comprehensive river basin studies should be made to the Council

for suballocation, although various people have mentioned the possibility of it. One of the problems has been in the past that—back before the time of the Council—that the Administration endeavored to consolidate these budgets so that there would not be money transferred between agencies, and so that each agency would ask for its own funds. The Congress did not see fit to go along with that Administration proposal a couple of years ago. The Appropriations Committee did not see fit to go along with that effort, that simplification of the budget process.

This was some years ago, about 5 years ago or so. So, we have the present procedure of having the budgets go to the Congress the way the Congress wanted them to go but trying to have the coordination within the executive branch so that the budgets which are to go to the individual committees will be coordinated and will make sense as a total.

Now, I would not care to offer an opinion on the exact question, namely, whether the Council should have this money appropriated to it and then distribute it, as it were, to the agencies, without more reflection and discussion in the Council. That would be a major change in our whole structure of appropriations. The Budget Bureau would be very much concerned with that. It would be difficult for me to offer an opinion at this time on that direct question.

Senator ANDERSON. You may not like what the Congress has done, but do you not think you ought to follow what the Congress has done?

Mr. HOLUM. Pardon me?

Senator ANDERSON. The Congress has laid out certain requirements here. Why should not the Congress be your guiding light?

Mr. CAULFIELD. Well, it is, sir, and that is how we are acting now. This is the way we understand the budgets are handled, by the several Subcommittees on Appropriations of the House and Senate; and we present a coordinated budget. We have a single document which expresses the coordinated budget as a whole.

In my testimony before the House Public Works Committee on Appropriations this year, for example, I presented to that subcommittee the coordinated budget for all the comprehensive studies, even though the money that is in that budget for, say, the Department of Agriculture, goes before a different subcommittee of the House Appropriations Committee, and likewise in the Senate. But there is one committee, namely, the Committee on Public Works, that the Council goes before which sees the budget as a whole.

Now, exactly how that subcommittee handles itself in relation to the other subcommittees, both in the House and Senate, I am not, of course, aware or competent to discuss.

Senator ANDERSON. Question No. 4.

Mr. HOLUM. "In general, what other organizational problems have been noted in the Council's experience thus far?"

Mr. CAULFIELD. I think I have covered that pretty well in my statement.

Senator ANDERSON. I think you have.

Mr. CAULFIELD. I do not know exactly how to amplify that at this point. I think we have singled out the chief problem. We have not come before the Senate committee lightly with this bill. We have

waited until we were sure of what we needed. I tried to identify the critical problems. We feel this appropriation ceiling is a critical problem. We feel we really need to come before you with this matter of appropriations under title I. We will again come before you, I am sure, when we can identify other critical problems that are presented by the act.

Senator ANDERSON. Last question, No. 5.

Mr. HOLUM. The fifth question is the hard one. "If the committee should decide to retain an appropriation limitation on title I activities, what is the order of magnitude of the increase which would be necessary to provide for desirable organizational and budgetary changes within the foreseeable future as well as the immediate pay raise?"

Mr. CAULFIELD. I think the answer to that question, sir, is that I would have to furnish the answer later. This could not be given without consultation with the Bureau of the Budget, and if the committee wishes, I will undertake to do that, consult with the Bureau of the Budget and arrive at an answer for the committee.

Senator ANDERSON. I think you can testify if you want to without the Bureau of the Budget, but I will respect your feeling.

Mr. CAULFIELD. This is a money matter, sir.

Senator MOSS. That is what I was concerned about in my question, Mr. Chairman.

Mr. HOLUM. If I could sum it up, Mr. Chairman, and I think the Director has answered the questions appropriately, I think both the Director and the departments involved share what was contained in Secretary Udall's statement, an interest in Council staff, that it not be large, that it not deal with a great magnitude of funds and that the departments themselves be intimately involved, but I think it is critically important, and I think I can speak to this with some authority because I represent the Department on the Council of Representatives, that the Council have an adequate staff so that they can hear the views and the problems of the agencies that are members of the Council and prepare, for the Council's consideration, critical analyses of the problems that I identified, and do the central staff work.

Senator ANDERSON. As Senator Moss pointed out, you ought to specify how much you want and not have an open figure.

Mr. HOLUM. Yes.

(The information requested is as follows:)

An authorization ceiling that would meet the presently foreseen needs of the Water Resources Council could be provided by amending Section 401(a) of S. 3058, as follows:

"(a) not to exceed \$1,500,000 annually to administer the provisions of titles I, II, III and IV: Provided, that not to exceed \$400,000 shall be available to administer the provisions of title III; Provided Further, that not to exceed \$1,100,000 shall be available to administer the provisions of titles I, II and IV after the expiration of title III; and"

This ceiling could provide for a total of 42 permanent positions. At present, 10 of these positions relate to the administration of Title III and only 14 positions (8 professional and 6 administrative and clerical) to administration of the other three titles, making a present ceiling total of 24 positions. Thus the ceiling would provide an additional 18 positions (10 professional and 8 administrative and clerical) for administration of Titles I, II and IV.

The presently estimated salary cost annually of 42 positions, including foreseeable salary increases-----	\$741, 652
Other estimated costs are:	
Consultants (including fees for members of advisory bodies) and temporary personnel, other than for national assessment-----	25, 000
Office operating costs-----	258, 348
National assessment (authorization for extra costs in year of preparation for temporary employees, reimbursable services of agencies, computer time, and printing)-----	200, 000
Economic projections (for transfer to Commerce's Office of Business Economics and Agriculture's Economic Research Service. At present \$600,000 annually is being transferred for this purpose from several Federal departments and agencies. If appropriations were made to Council, such several transfers would no longer be necessary. It is now believed that future marginal costs for this work should be less than in the past)-----	250, 000
Overhead costs in relation to Federal-State training-----	25, 000
Total-----	1, 500, 000

It is now anticipated that the additional staff work of the Water Resources Council, occasioned by establishment of the National Water Commission, would be able to be absorbed within the above authorization ceiling.

Senator MOSS. I would like to ask one more question of Secretary Holum.

Reading Secretary Udall's testimony, you indicated that the Council is now reconsidering the formula for the cost of money for water projects. I would like to know if you can give us any interim report on that. This concerns me. I thought that legislatively we would finally come to the place where that formula was settled and I am a little surprised to find it is now under review to be changed and, as you quoted the President's message, the rate will be higher for the cost of money hereafter.

Mr. HOLUM. Senator Moss, the President, in his budget message to the Congress, did call for a reconsideration of the discount rate used in evaluating projects and the Council is in the process and I would like to underscore that what the President referred to is the discount rate used in evaluation of projects.

The Council has that responsibility under the Water Resources Planning Act and by direction of the President. They have that under consideration. They have only had, up to this time, preliminary discussions, but as Secretary Udall's statement noted, the act requires that arrangements be made for an appropriate consultation with all interested agencies before any final decision is reached by the Council or the President, and Secretary Udall's statement says that one of the methods that will be used, at least, is publication in the Federal Register prior to the time of decision.

Senator MOSS. If there is a proposal to change the formula, will this apply all across the board on all water projects whether they be flood control or reclamation or water supply, no matter what?

Mr. HOLUM. Yes; Senator Moss, as it relates to project planning or project evaluation.

Senator ANDERSON. You must all remember that some years ago we learned that the Hoover Dam could not even have been built with the interest rate then proposed. Better be careful, I think.

Mr. HOLUM. We are well aware of the fact, Council members are, that this is a matter of critical importance.

Senator ANDERSON. Thank you very much, both of you for appearing.

Mr. Thompson, we are glad to have old friends back.

STATEMENT OF SAM THOMPSON, REPRESENTING INTERSTATE CONFERENCE ON WATER PROBLEMS, ACCOMPANIED BY CHARLES F. SCHWAN, JR.

Mr. THOMPSON. Thank you, Senator Anderson, it is good to be back about a subject that we both love and are very much interested in.

I have with me this morning Mr. Charles Schwan, a member of the Council of State Governments staff here in Washington.

Mr. Chairman, members of the subcommittee, my name is Sam Thompson. I am a member of the Mississippi Board of Water Commissioners. I am appearing here today, however, on behalf of the Interstate Conference on Water Problems, of which I am a past chairman.

For the record, Mr. Chairman, the Interstate Conference on Water Problems consists of official representatives of State government who have special responsibilities for or interests in water problems. Participants include water resources administrators, attorneys general, legislators, and State representatives on interstate water resources agencies.

As you know, Mr. Chairman, a proud chapter in the history of the Interstate Conference on Water Problems was the part it played in developing what was enacted ultimately as Public Law 89-80, the Water Resources Planning Act. We had the privilege of participating with you and other members and staff of the Committee on Interior and Insular Affairs in bringing about the enactment of what we regard as a piece of landmark legislation in water and related land resources conservation, development and utilization, and in Federal-State relations.

Our interest in this matter did not abate with the passage of Public Law 89-80. Indeed, to the extent it might have done so, the intent of the law would not have been fulfilled.

Taking up matters in reverse order, we understand that both for the current fiscal year and for the next, of 53 eligible jurisdictions, 51 have received or are applying for grants to assist them in developing comprehensive water resources plans under title III. This year requests exceeded appropriations. It is already evident that the same will be true for next year. We regard this grants-request relationship as evidence of at least two things. First, it is evident that title III was a wise enactment. Congress recognized a need for improving the State capability to plan for its water and land resources. Second, the States, similarly aware, have reacted enthusiastically and overwhelmingly to meet this need supported in part by Federal grants-in-aid.

The need for title II river basin commissions and the response of the States to the opportunity to participate with representatives of appropriate Federal agencies in basin-wide planning have been amply demonstrated, Mr. Chairman. There are now four active commissions, and, we understand that serious consideration is being given to the formation of five more.

Evidence of the continuing interest of the States in and of support for the concepts of the Water Resources Planning Act may be adduced from the National Conferences of State and Water Officials. The first such conference was held in Denver last September. The second will convene in Detroit in July. In Denver, in addition to the Federal representatives present, 48 States and the Commonwealth of Puerto Rico were represented. We hope to do as well in Detroit.

Mr. Chairman, the State interest in title I, the subject of this hearing, although indirect, is very great. We cannot ignore the significance to us of the duties assigned to the Water Resources Council by sections 102, 103, and 104. Among other things, the Council is required to prepare a biennial assessment "of the adequacy of supplies of water in each water resource region * * *." It must "maintain a continuing study of the relation of regional or river basin plans and programs to the requirements of larger regions * * *." It is directed to establish, "* * * principles, standards, and procedures for Federal participants in preparation of comprehensive regional or river basin plans and for the formulation and evaluation of Federal water and related land resources projects * * *." Finally, the Council is required to review river basin plans and make recommendations concerning them.

There are major responsibilities that the Congress has seen fit to place upon the Water Resources Council. At the State level, we are cognizant of their magnitude and of their significance to the States. We do not have to go beyond our selfish interest to urge that you amend the authorizing legislation for title I to permit an appropriation in excess of the current ceiling of \$300,000. We are informed that the appropriation for the current year is \$291,000, and to meet the mandate of the Federal Salary Act of 1967 would require an additional \$11,000. In itself, the latter would break the ceiling. Increased operating costs, we are told, accounts for the balance of \$10,000.

Mr. Chairman, this is a modest request—perhaps too modest in view of the Council's responsibilities. Indeed, if the overall fiscal situation ever eases, we should urge that your committee and the Committee on Appropriations consider increasing support for the entire effort represented by the Water Resources Planning Act. So far as the other ceilings established in title IV, and continued by S. 3058, we support their continuance for the time being.

To sum up, we support S. 3058 and respectfully request that the Subcommittee on Water and Power and the Committee on Interior and Insular Affairs report the bill with the recommendation that it do pass.

Senator ANDERSON. Thank you, Mr. Thompson. You have been a good friend up on Capitol Hill many long years. We are glad to have you here this morning.

Mr. THOMPSON. Thank you.

Senator ANDERSON. Senator Moss?

Senator MOSS. Thank you, Mr. Chairman.

I do not have any questions, Mr. Thompson, but I do wish to welcome you before the committee again. It is always good to have you.

Senator ANDERSON. Senator Burdick?

Senator BURDICK. I want to thank Mr. Thompson for his testimony.

Mr. THOMPSON. Thank you, sir.

Senator ANDERSON. The committee has received a letter from H. Maurice Ahlquist, director of the Department of Water Resources of

the State of Washington in favor of this amendment. It will be included in the hearing record at this point.

(The letter referred to follows:)

WASHINGTON STATE DEPARTMENT OF WATER RESOURCES,
Olympia, April 5, 1968.

SENATE INTERIOR AND INSULAR AFFAIRS COMMITTEE,
Washington, D.C.
(Attention Senator Henry M. Jackson).

DEAR SENATOR AND MEMBERS OF THE INTERIOR AND INSULAR AFFAIRS COMMITTEE: The Director of Water Resources, acting under authority of Chapter 242, Laws of 1967, for and on behalf of the State of Washington, concurs with the amendment provided in S. 3058.

We sincerely hope that action by your committee will be favorable.

Very truly yours,

H. MAURICE AHLQUIST, *Director.*

Senator ANDERSON. This finishes the hearing unless there are other statements to be made.

If not, the hearing is concluded.

(Whereupon, at 11:20 a.m., the hearing was concluded.)



LEGISLATIVE HISTORY
Public Law 90-547
S. 3058

TABLE OF CONTENTS

Index and summary of S. 3058.....	1
Digest of Public Law 90-547.....	2

Index and summary of S. 3058

Feb.	29, 1968	Sen. Jackson introduced and discussed S. 3058 which was referred to Senate Interior and Insular Affairs Committee. Print of bill as introduced. and remarks of author.
May	24, 1968	Senate committee voted to report S. 3058.
June	13, 1968	Senate committee reported S. 3058 with amendment. Senate Report 1234. Print of bill and report.
June	18, 1968	Senate passed S. 3058 as reported.
June	19, 1968	S. 3058 was referred to House Interior and Insular Affairs Committee. Print of bill as referred.
Sept.	4, 1968	House committee reported S. 3058 with amendment. House Report 1853. Print of bill and report.
Sept.	16, 1968	House passed S. 3058 under suspension of rules.
Sept.	19, 1968	Senate concurred in House amendment to S. 3058.
Oct.	2, 1968	Approved: Public Law 90-547

Hearings: Senate Interior and Insular Affairs
on S. 3058

DIGEST OF PUBLIC LAW 90-547

AMENDMENT TO WATER RESOURCES PLANNING ACT. Amends the Water Resources Planning Act so as to increase from \$300,000 to \$500,000 the amount authorized to be appropriated annually for administering the provisions of title I, which establishes the Water Resources Council and specifies its authorities and responsibilities.



90TH CONGRESS
2D SESSION

S. 3058

IN THE SENATE OF THE UNITED STATES

FEBRUARY 29, 1968

Mr. JACKSON (by request) introduced the following bill; which was read twice
and referred to the Committee on Interior and Insular Affairs

A BILL

To amend the Water Resources Planning Act to revise the authorization of appropriations for administering the provisions of the Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 401 of the Water Resources Planning Act
4 (Public Law 89-80; 79 Stat. 244) is amended to read as
5 follows:

6 “SEC. 401. There are authorized to be appropriated to
7 carry out the provisions of this Act—

8 “(a) such amounts as may be necessary to admin-
9 ister the provisions of titles I, II, III, and IV: *Pro-*
10 *vided*, That not to exceed \$400,000 annually shall be

1 available to administer the provisions of title III; and
 2 “(b) not to exceed \$6,000,000 annually to carry
 3 out the provisions of title II: *Provided*, That not more
 4 than \$750,000 annually shall be available for any single
 5 river basin commission.”

90TH CONGRESS
2D SESSION

S. 3058

A BILL

To amend the Water Resources Planning Act to revise the authorization of appropriations for administering the provisions of the Act, and for other purposes.

By Mr. JACKSON

FEBRUARY 29, 1968

Read twice and referred to the Committee on Interior and Insular Affairs

Yesterday the President bestowed on Mr. McNamara the Medal of Freedom. America is giving him to the world, said President Johnson, referring to his new post as President of the World Bank. That is certainly the case. Moreover, in the process of releasing him to an international assignment of this magnitude, we are really giving him to ourselves once again because this Nation is very much a part of the world. What happens in the world, in the end, happens to us. That is a relationship which Robert S. McNamara has long understood in its most profound sense. Robert McNamara leaves the Defense Department with our gratitude and with our best wishes for the continuance of his great and constructive contributions in his new assignment.

Mr. CANNON. Mr. President, I wish to join my colleague Senator HART in expressing my sincere regret in the retirement of Secretary McNamara. I, and I am sure many others, will miss his astute grasp of the overall military situation, and his firm guidance and counsel for the past 7 years.

The Department of Defense has grown immeasurably as a result of his leadership and I am sure posterity will appropriately record his contribution.

He deserves the highest accolades and I am glad to join my fellow Senators in making it a matter of record.

Mr. HART. Mr. President, let me again thank my colleagues who have been kind enough to speak as they have of a very great American, and a man of whom we in Michigan are extraordinarily and justifiably proud. I realize now that the able senior Senator from North Carolina [Mr. ERVIN] had been seeking to obtain time, and I note that he has left the floor, but I know perfectly well that he had planned to make and, except for the demands of his schedule, would have made, a comment at this point. I make that explanation in the RECORD for Secretary McNamara and by way of apology to the Senator from North Carolina.

I simply repeat, Mr. President, that on this day Secretary McNamara deserves a quiet vote of thanks from all Americans, and I very humbly offer mine.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the opportunity for improving the administration of the economic assistance program for Turkey, Agency for International Development, Department of State (with an accompanying report); to the Committee on Government Operations.

REPORT OF INCENTIVE PAY, DEPARTMENT OF THE NAVY

A letter from the Secretary, Department of the Navy, reporting, pursuant to law, the number of officers of the Navy and Marine Corps above the rank of lieutenant commander or major, entitled to incentive pay for the 6-month period preceding February 28, 1968; to the Committee on Armed Services.

PROPOSED NATIONAL GALLERY OF ART BUILDING

A letter from the Secretary, National Gallery of Art, transmitting a draft of proposed legislation authorizing the Trustees of the National Gallery of Art to construct a building or buildings in the District of Columbia, and making provisions for the maintenance thereof (with accompanying papers); to the Committee on Public Works.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDING OFFICER:

A resolution adopted by the Common Council of the City of Buffalo, N.Y., remonstrating against the award of an OEO Ombudsman grant; to the Committee on Labor and Public Welfare.

Resolution adopted by the New York State Association of City Councils, Buffalo, N.Y., praying for the enactment of legislation to aid cities in the handling of their many problems, which was referred to the Committee on Public Works.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. MONRONEY, from the Joint Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States, dated February 20, 1968, that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session.

The following favorable reports of nominations were submitted:

By Mr. MAGNUSON, from the Committee on Commerce:

C. R. Smith, of New York, to be Secretary of Commerce; and

John H. Crooker, Jr., of the District of Columbia, to be a member of the Civil Aeronautics Board.

APPOINTMENT TO BOARD OF VISITORS TO COAST GUARD ACADEMY

Mr. MAGNUSON. Mr. President, as chairman of the Committee on Commerce, I wish to announce that I have appointed the Senator from Alaska [Mr. BARTLETT] and the Senator from Michigan [Mr. GRIFFIN] as members of the Board of Visitors to the U.S. Coast Guard Academy.

APPOINTMENT TO BOARD OF VISITORS TO U.S. MERCHANT MARINE ACADEMY

Mr. MAGNUSON. Mr. President, as chairman of the Committee on Commerce, I wish to announce that I have appointed the Senator from South Carolina [Mr. HOLLINGS] and the Senator from Vermont [Mr. PROUTY] as members of the Board of Visitors to the U.S. Merchant Marine Academy.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ALLOTT (for himself, Mr. BENNETT, Mr. DOMINICK, and Mr. MONTOYA):

S. 3056. A bill to amend section 8c(2) (A) of the Agricultural Marketing Agreement Act of 1937, as amended, so as to include Colorado, Utah, and New Mexico among the specified States which are eligible to participate in marketing agreement and order programs with respect to apples; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. ALLOTT when he introduced the above bill, which appear under a separate heading.)

By Mr. ALLOTT (for himself, Mr. BENNETT, and Mr. DOMINICK):

S. 3057. A bill to amend sections 2(3) and 8c(6) (1) of the Agricultural Marketing Agreement Act of 1937, as amended, so as to permit marketing orders applicable to apples to provide for paid advertising; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. ALLOTT when he introduced the above bill, which appear under a separate heading.)

By Mr. JACKSON (by request):

S. 3058. A bill to amend the Water Resources Planning Act to revise the authorization of appropriations for administering the provisions of the act, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. JACKSON when he introduced the above bill, which appear under a separate heading.)

By Mr. HART:

S. 3059. A bill for the relief of Man Jak Cheung (Ting Ping Woo); to the Committee on the Judiciary.

By Mr. TYDINGS:

S. 3060. A bill to provide benefits for survivors of Federal judges comparable to benefits received by survivors of Members of Congress, and for other purposes;

S. 3061. A bill to amend provisions of law relating to the retirement of justices and judges of the United States; and

S. 3062. A bill to provide for the appointment of an Administrator of the Courts for each judicial circuit; to the Committee on the Judiciary.

By Mr. CLARK (for himself, Mr. HART, Mr. HARRIS, Mr. KENNEDY of New York, Mr. MONDALE, Mr. MORSE, Mr. NELSON, Mr. PELL, Mr. RANDOLPH, Mr. TYDINGS, Mr. WILLIAMS of New Jersey, and Mr. YARBOROUGH):

S. 3063. A bill to provide employment and training opportunities for low-income and unemployed persons; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. CLARK when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 3064. A bill to amend the Fish and Wildlife Act of 1956, as amended, to provide technical and financial assistance to the commercial fishing industry in meeting the requirements of the Wholesome Fish and Fishery Products Act of 1968; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appears under a separate heading.)

S. 3065. A bill to amend the Federal Trade Commission Act, as amended, by providing for temporary injunctions or restraining orders for certain violations of that act; and

S. 3066. A bill to amend the Federal Trade Commission Act, as amended, by expanding the jurisdiction of the Federal Trade Commission by providing for temporary restraining orders for certain violations of that

act, and by making any violation of that act with intent to defraud or mislead a misdemeanor; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the two above bills, which appear under a separate heading.)

S. 3056 AND S. 3057—INTRODUCTION OF PROPOSED BILLS RELATING TO AMENDMENTS OF THE AGRICULTURAL MARKETING AGREEMENT ACT OF 1937

Mr. ALLOTT. Mr. President, on behalf of Senators BENNETT, DOMINICK, MONTROYA, and myself, I introduce a bill to amend section 8c(2) (A) of the Agricultural Marketing Agreement Act of 1937, as amended, so as to include Colorado, Utah, and New Mexico among the specified States which are eligible to participate in marketing agreement and order programs with respect to apples, and ask that it be appropriately referred.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3056) to amend section 8c(2) (A) of the Agricultural Marketing Agreement Act of 1937, as amended, so as to include Colorado, Utah, and New Mexico among the specified States which are eligible to participate in marketing agreement and order programs with respect to apples, introduced by Mr. ALLOTT (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. ALLOTT. The purpose of this bill is to enable apple growers of Colorado, Utah, and New Mexico to do a more effective job of marketing apples in their respective States by providing a legislative means of entering into voluntary marketing agreement and order programs. Section 8c(2) (A) of the Agricultural Marketing Agreement Act of 1937, as amended, already enables apple growers in certain specified States to enter into marketing agreement and order programs. This bill merely adds Colorado, Utah, and New Mexico to that list of States which are afforded an opportunity to enter into such programs.

The Agricultural Marketing Agreement Act of 1937, as amended, provided the means whereby the orderly and efficient marketing processes could be used for the improvement of the markets for various agricultural commodities. This legislative tool was provided, not only for the economic benefit of the agricultural industry involved with such commodities, but also for the general benefit of the consuming public. This law provided an opportunity for proper farmer bargaining power through collective farmer marketing and selling agreements otherwise unavailable to individual farmers.

The applegrowers of Colorado are presently permitted by our State law to enter into marketing agreements and orders on an intrastate basis. What we are seeking here, however, is to enable applegrowers in Colorado, Utah, and New Mexico to join with other applegrowers in the States enumerated in section 8c(2) (A) of the Agricultural Mar-

keting Agreement Act to create voluntary marketing orders.

Under the present law, the Secretary of Agriculture has the power to enter into these marketing orders, which are exempted from the antitrust laws of the United States, with the applegrowers of the affected States.

The passage of the bill would create the opportunity for voluntary interstate agreements, voted upon by the applegrowers directly affected, which would be subject to approval by the Secretary of Agriculture. The public interest is fully protected by the processes established by law. Prior to approval by the Secretary, the proposed agreements are subject to hearings called by the Department of Agriculture to satisfy the Department of the voluntariness of the proposed agreement and to be certain that there is a sufficient number of growers who want to enter into such an agreement. Thus, there is an ideal industry-government relationship created here by law to assure the ultimate protection of the public interest.

The applegrowers in Colorado, Utah, and New Mexico deserve the opportunity to afford themselves of the promise of the purposes of the Agricultural Marketing Agreement Act of 1937 for the orderly exchange of their commodity in interstate commerce by effectuating programs beneficial not only to their particular industry, but also to the consuming public.

I ask unanimous consent that the bill I have sent to the desk be printed in the RECORD at this point.

The PRESIDING OFFICER. Without objection, the bill will be printed in the RECORD, in accordance with the request of the Senator from Colorado.

S. 3056

A bill to amend section 8c(2) (A) of the Agricultural Marketing Agreement Act of 1937, as amended, so as to include Colorado, Utah and New Mexico among the specified States which are eligible to participate in marketing agreement and order programs with respect to apples

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 8c(2) (A) of the Agricultural Marketing Agreement Act of 1937, as amended, is amended by striking out "and Connecticut" and inserting in lieu thereof "Connecticut, Colorado, Utah, and New Mexico."

Mr. ALLOTT. I also introduced, Mr. President, a bill offered by Senators DOMINICK, BENNETT, and myself, "to amend sections 2(3) and 8c(6) (I) of the Agricultural Marketing Agreement Act of 1937, as amended, so as to permit marketing orders applicable to apples to provide for paid advertising," and ask that it, too, be appropriately referred.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3057) to amend sections 2(3) and 8c(6) (I) of the Agricultural Marketing Agreement Act of 1937, as amended, so as to permit marketing orders applicable to apples to provide for paid advertising, introduced by Mr. ALLOTT (for himself, Mr. BENNETT, and

Mr. DOMINICK), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. ALLOTT. Again, this bill is only offered in the realm of enabling legislation. It would still require that the applegrowers themselves, by voluntary agreement, provide that expenses of paid advertising be a part of a marketing agreement or order. This would require approval by a majority of the producers themselves, which order, of course, is still subject to approval by the Secretary of Agriculture.

The passage of this bill is essential to the apple growing industry to further the development of programs which would provide a more effective job of marketing apples by the apple industry.

I ask unanimous consent that the text of this bill be printed in the RECORD at this point.

The PRESIDING OFFICER. Without objection, the bill will be printed in the RECORD, in accordance with the request of the Senator from Colorado.

S. 3057

A bill to amend sections 2(3) and 8c(6) (I) of the Agricultural Marketing Agreement Act of 1937, as amended, so as to permit marketing orders applicable to apples to provide for paid advertising

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 2(3) of the Agricultural Marketing Agreement Act of 1937, as amended, is amended by inserting "such marketing research and development projects provided in section 8c(6) (I), and" immediately after "section 8c(6) (H)";

(b) The proviso at the end of section 8c(6) (I) of such Act, as amended, is amended by striking out "or avocados" and inserting in lieu thereof "avocados, or apples".

S. 3058—INTRODUCTION OF BILL RELATING TO AMENDMENT OF WATER RESOURCES PLANNING ACT

Mr. JACKSON. Mr. President, I introduce, by request and for appropriate reference, a bill to amend the Water Resources Planning Act to revise the authorization of appropriations for administering the provisions of the act and for other purposes.

I ask unanimous consent that the executive communication from the Water Resources Council requesting the proposed legislation and the text of the bill itself be printed in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 3058) to amend the Water Resources Planning Act to revise the authorization of appropriations for administering the provisions of the act, and for other purposes, introduced by Mr. JACKSON, by request, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 3058

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section

401 of the Water Resources Planning Act (Public Law 89-80; 79 Stat. 244) is amended to read as follows:

"SEC. 401. There are authorized to be appropriated to carry out the provisions of this Act—

"(a) such amounts as may be necessary to administer the provisions of Titles I, II, III and IV: *Provided*, That, not to exceed \$400,000 annually shall be available to administer the provisions of Title III; and

"(b) not to exceed \$6,000,000 annually to carry out the provisions of Title II: *Provided*, That, not more than \$750,000 annually shall be available for any single river basin commission."

The letter, presented by Mr. JACKSON, is as follows:

WATER RESOURCES COUNCIL,
Washington, D.C., February 24, 1968.
Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft of a proposed bill to amend the Water Resources Planning Act (Public Law 89-80; 79 Stat. 244; approved July 22, 1965).

We recommend that this bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

This proposed legislation would revise the authorization of appropriations for administrative expenses in carrying out the provisions of the Water Resources Planning Act that is contained in section 401 of the Act. Aside from changing the sequence of the provisions of section 401, the draft bill would make only one change in the substance of the section. It would remove the limitation of \$300,000 annually from the authorization for appropriations for administering the provisions of Title I of the Act, and substitute an authorization for appropriations in such amounts as may be necessary. The other limitations now contained in section 401 would remain unmodified.

The passage of the Federal Salary Act of 1967 has necessitated either the removal of the limitation for administering the provisions of Title I or the curtailment of essential functions. Furthermore, experience under this Act since its enactment in July 1965, has pointed to the desirability of removing the appropriation limitation so that consideration may be given in future years to increases in appropriations to better carry out the functions and responsibilities of the Water Resources Council.

The Bureau of the Budget has advised that enactment of this draft bill would be consistent with the Administration's objectives.

Sincerely yours,

STEWART L. UDALL,
Chairman.

S. 3064—INTRODUCTION OF BILL TO AMEND THE FISH AND WILDLIFE ACT OF 1956, AS AMENDED

Mr. MAGNUSON. Mr. President, at the request of the Secretary of the Interior, I introduce, for appropriate reference, a bill to amend the Fish and Wildlife Act of 1956, as amended, to provide technical and financial assistance to the commercial fishing industry in meeting the requirements of the Wholesome Fish and Fishery Products Act of 1968.

President Johnson, in his consumer message, proposed legislation to improve the quality of fish and fishery products. This legislation would provide for the regulation of fish and fishery products aboard vessels and in the processing plants. The regulations will require the

plants and vessels to meet new standards of sanitation and quality.

In many cases this could work considerable hardship upon segments of the industry which will be asked to qualify under the proposed legislation. This bill would give the Department of the Interior specific authority to make loans to processing plants for meeting the requirements of the new legislation. The Fish and Wildlife Act of 1956 now authorizes loans for vessels. This bill would increase the loan fund from \$20 million to \$30 million. Half of this increase was recommended by the Department of the Interior in connection with the Senate-passed bill—S. 1798. Accordingly, the last sentence on line 18, page 2, of that bill should be deleted.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD at the conclusion of my remarks.

I also ask unanimous consent that a letter from the Deputy Assistant Secretary of the Interior, requesting the proposed legislation, be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 3064) to amend the Fish and Wildlife Act of 1956, as amended, to provide technical and financial assistance to the commercial fishing industry in meeting the requirements of the Wholesome Fish and Fishery Products Act of 1968, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 3064

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Fish and Wildlife Act of 1956 (70 Stat. 1122; 16 U.S.C. 472f) is amended:

(a) By redesignating paragraphs (4) and (5) as paragraphs (5) and (6); and

(b) By inserting a new paragraph after paragraph (3) to read as follows:

"(4) provide technical assistance to the commercial fishing industry in developing economically feasible technical improvements to meet any standards of sanitation and quality promulgated under the Wholesome Fish and Fishery Products Act of 1968 and the other provisions of said Act and to assure that all fish and fishery products fully comply with said standards;"

(c) Section 4 of the Fish and Wildlife Act of 1956 (70 Stat. 1121) as amended (16 U.S.C. 472c) is amended:

(1) By deleting the period at the end of subsection (a) and inserting the following: "and establishments processing fish and fishery products subject to regulations issued under the Wholesome Fish and Fishery Products Act of 1968."

(2) By striking the period at the end of the first sentence of subsection (b) (4) and inserting "and to establishments processing fish and fishery products."; and

(3) By amending the last sentence of subsection (c) of this section to read as follows:

"There is authorized to be appropriated to the fisheries loan fund the sum of \$30,000,000 to provide initial capital."

The letter, presented by Mr. MAGNUSON, is as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY

Washington, D.C., February 7, 1968.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft of a proposed bill, "To amend the Fish and Wildlife Act of 1956, as amended, to provide technical and financial assistance to the commercial fishing industry in meeting the requirements of the Wholesome Fish and Fishery Products Act of 1968."

We recommend that this bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

President Johnson in his Consumer Message proposed legislation to improve the quality of fish and fishery products. This legislation would provide for the regulation of fish and fishery products at the vessel and the processing plants. The regulations will require the plants and vessels to meet standards of sanitation and quality.

The enclosed proposal would give the Department specific authority to provide technical assistance and authority to make loans to processing plants meeting the requirements of the new legislation. The Fish and Wildlife Act of 1956 now authorizes loans for vessels. The bill would increase the loan fund from \$20 million to \$30 million. Half of this increase was recommended by the Department in connection with the Senate-passed bill S. 1798. Accordingly, the last sentence on line 18, page 2, of that bill should be deleted.

The Bureau of the Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

CLARENCE F. PAUTZKE,
Deputy Assistant Secretary of the Interior.

S. 3065 AND S. 3066—INTRODUCTION OF TWO BILLS RELATING TO PROPOSED AMENDMENT OF THE FEDERAL TRADE COMMISSION ACT

Mr. MAGNUSON. Mr. President, I introduce, by request, for appropriate reference, the Deceptive Sales Act of 1968, an act which would amend section 13 of the Federal Trade Commission Act by empowering the FTC, when it believes it would be in the public interest to do so, to seek a preliminary injunction against any person whom it has reason to believe is engaged in an unfair or deceptive act or practice affecting a consumer, in violation of section 5 of the FTC Act.

This is an amendment which is long overdue and is essential to protect the American consumer. Too frequently today persons are engaged in schemes to defraud the public which are clearly in violation of the FTC Act. Yet Commission proceedings are often prolonged, sometimes taking as long as 2 years to resolve, while a respondent ekes out the maximum period of grace afforded by exercising his full procedural rights. During this time, large numbers of additional consumers may be lured into participating in schemes which ultimately will defraud them of hundreds of dollars. There is no excuse for perpetuating this gaping loophole in Commission procedures.

To authorize the Commission to seek to enjoin a respondent whom it believes is violating the act, would enable it to

obtain the same type of remedies which are currently available to a court of law. For, at the present time, a court may enjoin a defendant from pursuing a particular course of action, pending final determination of the case, when continuation of that activity might result in irreparable harm to the plaintiff. Similarly, under this bill, issuance of an injunction could thwart extensive swindling of consumers, while, on the other hand, a respondent's rights would be adequately protected, for the Commission would be required to seek its injunction in a Federal district court where a Federal judge would determine if such a temporary remedy is warranted by the facts.

President Johnson, in sending this draft bill to Congress, has spotlighted an extremely important area for congressional action. For no proposal could be more important in enabling the FTC to act speedily and effectively against fly-by-night operators who are currently fleecing the public.

While the committee is considering this important legislation, however, I believe it would also be useful to consider, at the same time, two additional amendments to the FTC Act which have been mentioned as essential to combat consumer fraud. As a result, I am introducing a bill today, which complements the President's proposal. Not only will it provide the Commission with the authority to seek preliminary injunctions, but it will broaden the Commission's jurisdiction and enable it to find a person who has willfully deceived a consumer, in violation of section 5 of the FTC Act, guilty of a misdemeanor punishable by a fine of not more than \$5,000 or by imprisonment of not more than 6 months.

An amendment of this latter nature will serve to deter willful violations of the act, for at the present time, a fraudulent operator frequently sees little harm in being placed under a Commission cease and desist order. As such an order imposes no monetary penalty unless it is subsequently violated, he will merely launch a new scheme, not covered by the original FTC order, and wait for the Commission to catch up with him again. Yet in those cases where the Commission seeks to prosecute an individual under this amendment, his rights will be adequately protected, for the Commission must present its case in a Federal court where the defendant will be accorded his full procedural rights, including the constitutional right to trial by jury, before he can be found guilty.

Finally, as mentioned earlier, this second bill also contains provisions which would broaden the jurisdiction of the FTC to encompass deceptive acts or practices "affecting interstate commerce," as well as those "in interstate commerce." Although in most cases this broader jurisdiction would not be exercised, there are some instances on record where the Commission has investigated clearly deceptive acts and has found, after developing a complete record, that it is unable to bring suit because a fringe operator is acting entirely within State lines, even though using materials which have moved in interstate commerce. Normally, of course, it would be proper for

State authorities to proceed against that individual, but in some cases the State attorney general lacks the statutory authority to do so. While the Commission should work closely with the State officials in fostering strong consumer protection programs within each State, it should also be able to act to protect consumers where effective State legislation does not yet exist.

The Commerce Committee plans to hold early hearings on these bills, and we hope to report legislation out early in this session. We shall attach a great deal of urgency to these proposals, for the American consumer deserves today the added protection which they will afford.

Mr. President, I ask unanimous consent that the text of the two bills be printed in the RECORD following my remarks.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the bills will be printed in the RECORD.

The bills, introduced by Mr. MAGNUSON, by request, were received, read twice by their titles, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 3065. A bill to amend the Federal Trade Commission Act, as amended, by providing for temporary injunctions or restraining orders for certain violations of that act:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the 'Deceptive Sales Act of 1968.'"

"SEC. 2. That section 13(a) of the Federal Trade Commission Act (15 U.S.C. 53(a)) be amended as follows:

"SEC. 13. (a) Whenever the Commission has reason to believe—

"(1) that any person, partnership, or corporation is engaged in, or is about to engage in, the dissemination or the causing of the dissemination of any advertisement in violation of section 12, or any act or practice in commerce within the meaning of section 5 which is unfair or deceptive to the consumer, and

"(2) that the enjoining thereof pending the issuance of a complaint by the Commission under section 5, and until such complaint is dismissed by the Commission or set aside by the court on review, or the order of the Commission to cease and desist made thereon has become final within the meaning of section 5, would be to the interest of the public,

the Commission by any of its attorneys designated by it for such purpose may bring suit in a district court of the United States or in the United States court of any Territory, to enjoin such dissemination or the causing of such dissemination of any act or practice in commerce within the meaning of section 5 which is unfair or deceptive to the consumer. Upon proper showing a temporary injunction or restraining order shall be granted without bond. Any such suit shall be brought in the district in which such person, partnership, or corporation resides or transacts business."

S. 3066. A bill to amend the Federal Trade Commission Act, as amended, by expanding the jurisdiction of the Federal Trade Commission by providing for temporary restraining orders for certain violations of that act, and by making any violation of that Act with intent to defraud or mislead a misdemeanor:

"Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That section 5(a)(1) of the Federal Trade Commission Act (15 U.S.C. 45(a)(1)) is amended to read as follows:

"SEC. 5(a)(1). Unfair methods of competition in commerce or affecting commerce, and unfair or deceptive acts or practices in commerce or affecting commerce are hereby declared unlawful."

"Section 13 of the Federal Trade Commission Act (15 U.S.C. 53) is amended as follows—

"SEC. 13. (a) Whenever the Commission has reason to believe—

"(1) that any person, partnership, or corporation is engaged in, or is about to engage in any act or practice in commerce within the meaning of Section 5 which is unfair or deceptive to the consumer, and

"(2) that the enjoining thereof pending the issuance of a complaint by the Commission under section 5, and until such complaint is dismissed by the Commission or set aside by the court on review, or the order of the Commission to cease and desist made thereon has become final within the meaning of section 5, would be to the interest of the public,

the Commission by any of its attorneys designated by it for such purpose may bring suit in a district court of the United States or in the United States court of any Territory, to enjoin such unfair method of competition or such unfair or deceptive act or practice. Upon proper showing a temporary injunction or restraining order shall be granted without bond. Any such suit shall be brought in the district in which such person, partnership, or corporation resides or transacts business."

"SEC. 3. Section 14(a) of the Federal Trade Commission Act (15 U.S.C. 54(a)) is amended to read as follows:

*"SEC. 14. (a) Any persons, partnership, or corporation who violates any provision of section 12(a), if the use of the commodity advertised may be injurious to health because of results from such use under the conditions prescribed in the advertisement thereof, or under such conditions as are customary or usual, and any person, partnership, or corporation who engaged in any violation of section 5 with intent to defraud or mislead, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not more than \$5,000 or by imprisonment for not more than six months, or by both such fine and imprisonment; except that if the conviction is for a violation committed after a first conviction of such person, partnership, or corporation, for any violation of such section, punishment shall be by a fine of not more than \$10,000 or by imprisonment for not more than one year, or by both such fine and imprisonment: *Provided*, That for the purposes of this section meats and meat food products duly inspected, marked, and labeled in accordance with rules and regulations issued under the Meat Inspection Act, and poultry and poultry products duly inspected, marked, and labeled in accordance with rules and regulations issued under the Poultry Products Inspection Act, shall be conclusively presumed not injurious to health at the time the same leave official "establishments."*"

PENALTIES FOR CERTAIN ACTS OF VIOLENCE OR INTIMIDATION—AMENDMENTS

AMENDMENT NO. 555

Mr. BAKER submitted an amendment, intended to be proposed by him, to the amendment in the nature of a substitute (No. 554) proposed by Mr. DIRKSEN to the bill (H.R. 2516) to prescribe penalties for certain acts of violence or intimidation, and for other purposes, which was or-

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C. 20250
OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(FOR INFORMATION ONLY;
NOT TO BE QUOTED OR CITED)

Issued May 27, 1968
For actions of May 24, 1968
90th-2nd; No. 90

CONTENTS

Adjournment.....12	Health.....9	Property.....23
Appropriations.....1,13,29	Housing.....8	Recreation.....4
Budget.....2,16,18,24	Hunger.....17	Research.....3
Census.....19	Lands.....20	Roads.....4
Credit unions.....25	Loans.....7,22	Safety.....9
Economic development.....4	Malnutrition.....17	School lunch.....11
Emergency credit.....22	Migratory workers.....26	Soil conservation.....18
Fisheries.....21	Oceanography.....10	Taxation.....16
Foreign aid.....23	Personnel.....6,15	Trust territories.....4
Forests.....27	Pollution.....5,28	Water.....4,5,14

HIGHLIGHTS: Senate committee reported agricultural appropriation bill. Senate debated housing bill. Senate committee voted to report bill to establish nationwide system of trails. Sen. Mondale criticized Senate committee's "cutting" school lunch program funds.

SENATE

1. APPROPRIATIONS. The Senate Appropriations Committee reported with amendments H. R. 16913, the agricultural appropriation bill (S. Rept. 1138)(p. S6342). As reported by the Committee, the bill would provide a total of \$5,536,050,300, an increase of \$12,414,800 over the House-passed figure. Attached to this Digest is a copy of the committee report showing the committee actions.

2. BUDGET. Received from the President "proposed amendments to the budget for the fiscal year 1969, in the amount of \$1.2 million for the legislative branch, \$11.1 million to carry out the fair housing provision of the 1968 Civil Rights Act, \$775 thousand for a new Commission on Mortgage Credit and Interest Rates, and \$350 thousand to permit the Council of Economic Advisers to finance the activities of the Cabinet Committee on Price Stability" (S. Doc. 80); to Appropriations Committee. p. S6341
3. RESEARCH. Passed as reported H. R. 5404, to amend the National Science Foundation Act of 1950 to make changes and improvements in the organization and operation of the Foundation. Sen. Mansfield inserted an excerpt from the committee report which stated the purpose of the bill "is to facilitate the mission of the National Science Foundation by making much-needed reforms in the organization and the operation of both the Foundation and its governing body, the National Science Board. pp. S6332-8
4. RECREATION; WATER; ROADS; ECONOMIC DEVELOPMENT. The Interior and Insular Affairs Committee voted to report (but did not actually report) S. 444, to ~~establish the Flaming Gorge National Recreation area (amended)~~; S. 3058, to increase authorizations for water resources planning activities (amended); S. 224, to provide for the rehabilitation of the Eklutna Dam project, Alaska (amended); S. 3073, to authorize funds to promote economic development in the Trust Territory of the Pacific Islands (amended); and S. 827, to establish a nationwide system of trails (amended). p. D479
5. WATER QUALITY. Sen. Hansen inserted the statement by Gov. Love, Colo., and the resolution on water quality standards as adopted by the western Governor's conference which calls upon Federal authorities to rescind or amend certain proposed Federal requirements regarding State pollution abatement programs. pp. S6338-41
6. PERSONNEL. Received from GAO a report of the opportunity to reduce the Federal Government's cost of medical benefits furnished Foreign Service employees overseas. p. S6341
7. LOANS. Sen. Burdick was added as a cosponsor of S. 1971, to amend the Consolidated Farmers Home Administration Act of 1961 to authorize loans to certain cooperatives serving farmers and rural residents. p. S6343
8. HOUSING. Began debate on S. 3497, the proposed Housing and Urban Development Act of 1968. pp. S6357, S6386-403, S6407-17
Sen. Fulbright inserted the text of his bill introduced in the 89th Congress and related items which correspond to the purposes of title XIV of S. 3497, the proposed Housing and Urban Development Act of 1968, which require the President to submit to Congress annual reports on the progress in achieving our national goal of "a decent home and a suitable living environment for every American family." pp. S6403-4
9. HEALTH; SAFETY. Sen. Metcalf inserted an article from the Catholic Standard refuting the opposition of the U. S. Chamber of Commerce to the proposed Occupational Safety and Health Act of 1968. pp. S6360-1

June 13, 1968

- 3 -

SENATE

12. CCC. The Armed Services Committee reported with amendment H. R. 16703, the military construction bill, which includes funds for the payment on the debt to the Commodity Credit Corp. for foreign currencies used in prior years to construct military family housing overseas (S. Rept. 1232). p. S7147
13. TRAILS. The Interior and Insular Affairs Committee reported with amendments S. 827, to establish a nationwide system of trails (S. Rept. 1233). p. S7147
14. WATER RESOURCES. The Interior and Insular Affairs Committee reported with amendment S. 3058, to increase authorizations for water resources planning activities (S. Rept. 1234). p. S7147
Conferees were appointed on S. 20, to provide for a comprehensive review of national water resource problems and programs. p. S7212
15. WILDLIFE. The Commerce Committee reported with amendments H. R. 15979, to prevent or minimize injury to fish and wildlife from the use of pesticides (S. Rept. 1236). p. S7147
Sen. Hansen inserted an article "Who Owns the Game?--Part II." pp. S7164-6
16. BALANCE OF PAYMENTS. H. R. 16162, to improve the U. S. balance-of-payments situation through loan and other programs of the Export-Import Bank, was ordered to be placed on the calendar. p. S7147
17. CREDIT UNIONS. Passed with amendments H. R. 6157, authorizing payroll savings deductions for credit union shares for Federal employees. pp. S7223-4
18. INFORMATION. Passed as reported H. R. 6279, to provide for the collection, compilation, critical evaluation, publication, and sale of standard reference data. p. S7224
19. TECHNICAL SERVICES. Passed with amendments S. 3245, to extend for an additional two years the authorization of appropriations under the State Technical Services Act of 1965. p. S7225
20. SOLID WASTES. The Public Works Committee voted to report (but did not actually report) S. 3201, extending for 1 year the provisions on research and assistance for State and interstate planning for solid waste disposal. p. D549
21. APPROPRIATIONS. Passed without amendment H. J. Res. 1268, making supplemental appropriations for fiscal year 1968 for highways and certain claims. The Appropriations Committee reported the bill without amendment June 12 (S. Rept. 1227). This bill will now be sent to the President. pp. S7212-23

22. EXPORT-IMPORT BANK. Began consideration of S. 3218, to enable the Export-Import bank of the United States to approve extension of certain loans, guarantees, and insurance in connection with exports from the United States in order to improve the balance of payments and foster the long-term commercial interests of the United States. By unanimous-consent agreement this bill will become the pending business on Mon., June 17. p. S7225
23. GRAINS. Agreed, 62-21, to the resolution of ratification of the International Grains Arrangement 1967. pp. S7193-7212
24. CONSERVATION. Sen. Metcalf inserted two editorials urging congressional action on conservation and water resource projects. p. S7166
25. RESEARCH. Sen. Morse inserted an article "Productivity Interaction: Basis for Science Education in the 21st Century." pp. S7166-7
26. PERSONNEL. Sen. Ervin spoke in support of the bill to protect the constitutional rights of employees of the executive branch of the Government and to prohibit unwarranted governmental invasions of their privacy and inserted his comments before the Greensboro, N. C., Bar Association on this subject. pp. S7181-3
27. FOREIGN TRADE. Sen. Mondale hoped that Congress will not overlook the "crucial importance of East-West trade opportunities both in the interest of a response to the events in Eastern Europe and a response to American trade difficulties" and inserted an editorial on the subject. pp. S7177-8
28. RECLAMATION. Sen. Mundt spoke of the water shortage in such agricultural States as S. Dak., and inserted an address by Commissioner of Reclamation Floyd E. Dominy, "Irrigation Moves Into the 21st Century." pp. S7171-3
29. HUNGER. Sen. Metcalf praised this Department's development of high-protein foods as a major source of protein for humans. pp. S7169-70
Sen. McGovern inserted the text of Sen. Montoya's bill relative to relief for the hungry. pp. S7187-8
30. POVERTY. Sen. McIntyre inserted an article from an OEO Bulletin, "Rural Communities of May 1968" relative to antipoverty programs in New Hampshire. p. S7169
Sen. Brooke inserted the text of the "poor people's" demands including those made of this Department. pp. S7170-1
31. ADJOURNED until Mon., June 17. p. S7269

EXTENSION OF REMARKS

32. ELECTRIFICATION. Sen. Metcalf inserted two statements presenting arguments in favor of the proposed Electric Power Reliability Act. pp. E5351-3

Calendar No. 1212

90TH CONGRESS }
2d Session }

SENATE

{ REPORT
No. 1234

AMENDING THE WATER RESOURCES PLANNING ACT

JUNE 13, 1968.—Ordered to be printed

Mr. JACKSON, from the Committee on Interior and Insular Affairs,
submitted the following

REPORT

[To accompany S. 3058]

The Committee on Interior and Insular Affairs, to which was referred the bill (S. 3058) to amend the Water Resources Planning Act to revise the authorization of appropriations for administering the provisions of the act, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

The amendment is as follows:

Strike lines 8, 9, and 10 on page 1 and line 1 on page 2 and insert the following language:

(a) such amounts as may be necessary for the administration of the Act: *Provided*, That not to exceed \$1,500,000 annually shall be available until the expiration of the program established by title III, and not to exceed \$1,100,000 annually shall be available thereafter; and

PURPOSE OF THE MEASURE

The purpose of this legislation, which was proposed by the administration, is to revise the authorization of appropriations for the administrative expenses of carrying out the provisions of the Water Resources Planning Act (79 Stat. 244). The act is amended to increase, from \$700,000 to \$1,500,000, the amount authorized to be appropriated annually for the administrative functions of the Water Resources Council under all titles of the act.

BACKGROUND

The Water Resources Planning Act of 1965 established the Water Resources Council and assigned to it a number of functions relating

to the coordination of planning for the conservation, development, and utilization of the water and related land resources of the United States. Title I of the act sets forth the Council's functions in the administration of the provisions of the act. Section 401 of the act authorizes "* * * to be appropriated not to exceed \$300,000 annually, to carry out the provisions of title I * * *".

Section 401 further authorizes "* * * not to exceed \$400,000 annually for the administration of title III". Title III establishes a program of grants to the States for comprehensive water and related land resources planning.

The Water Resources Council is now established and operating. Its estimated expenditures under title I are \$290,000 for fiscal year 1968. The fiscal year 1969 budget includes \$311,000 for these activities, which is in excess of the appropriation limitation of the act. Because of passage of the Federal Salary Act of 1967 and other factors, programs exceeding \$300,000 are anticipated in future years.

Estimated expenditures for the administration of title III are \$220,000 for fiscal year 1968 and \$235,000 for fiscal year 1969.

PRESENT LEGISLATION

On February 24, 1968, the Water Resources Council submitted to the Congress proposed legislation to amend the Water Resources Planning Act. The legislation, by substituting new language for section 401 of the act, would entirely remove the limitation on appropriations to carry out the provisions of title I. The other provisions of section 401 would not be changed by the proposed amendment.

The Subcommittee on Water and Power Resources held an open hearing on April 22, 1968, to take testimony on the bill, S. 3058, submitted by the Water Resources Council.

COMMITTEE AMENDMENT

The committee amended the bill by deleting language which would retain the limitation of \$400,000 annually for the administration of title III, but which would completely remove the limitation on authorizations for other administrative functions of the Council, and substituting instead language which would provide a new limitation of \$1,500,000 for all administrative functions of the Council under the act. The amendment further provides that when the program established by title III expires, the limitation will be reduced to \$1,100,000 annually to reflect the reduced responsibility.

It is the intention of the committee to provide the necessary authority for the Council to obtain adequate appropriations to effectively carry out its responsibilities under the Water Resources Planning Act. The committee recognizes that increasing costs for personnel services and operating experience gained by the Council may indicate the desirability of providing additional funds in future years.

A small increase in the limitation is necessary to cover the Council's appropriation request for fiscal year 1969. In testimony before the Subcommittee on Water and Power Resources, administration witnesses indicated that further increases will be necessary to provide adequate staff for the various activities in which the Council is en-

gaged. The administration has recommended the elimination of any limitation so that such increases may be requested, as necessary, in the appropriation process.

The committee has decided to retain a limitation and has set it at \$1,500,000 to cover foreseeable increases in the cost of the Council's administrative functions including the future funding of economic studies which are presently being funded by transfers from several Federal departments and agencies. The new limitation is based upon estimates of future requirements which were provided by the Water Resources Council at the request of the committee. The derivation of the limitation is as follows:

Present limitations:	
Title I-----	\$300, 000
Title III-----	400, 000
Subtotal-----	700, 000
Future costs of economic studies now funded by other agencies-----	250, 000
Increased costs of administration anticipated-----	550, 000
Total new limitation-----	1, 500, 000

The anticipated increase in administrative costs of \$550,000 includes \$200,000 which would not be required annually but only in those years in which national assessment reports are being finalized.

The committee has substituted a single limitation for the two limitations provided in the act. The separation of the authorization for administering title III from that for administering the remainder of the act imposes unwarranted accounting problems, because the Council is a small organization in which particular individuals often perform duties in connection with title III as well as other provisions of the act. It is anticipated, however, that the costs of administering the title III program will not exceed \$400,000 and the total limitation will be reduced by that amount at the expiration of the program.

In testimony before the Subcommittee on Water and Power Resources, administration witnesses discussed the Council's activities regarding the establishment of principles, standards, and procedures for the formulation and evaluation of Federal water and related land resources projects. Specific mention was made of the Council's current consideration of revision of the discount rate formula set forth in the present principles, standards, and procedures, approved by the President on May 15, 1962, and printed as Senate Document 97, 87th Congress, second session.

The committee believes that the Council should give attention to all of the criteria utilized in the economic analysis of water resource projects, of which the discount rate is only one part.

Of particular concern is the impact of water resource development upon other economic and social objectives of the Nation. The committee feels that the present interpretation of Senate Document 97 results in benefit analyses which place little or no emphasis upon the indirect and secondary effects of projects. As a result, projects are being formulated and proposed which optimize the value to the direct beneficiaries and neglect the impact, both beneficial and detrimental, upon other sectors of the economy and society. To facilitate more valid consideration of investments in water resource development in relation to other Federal programs, the economic analyses of proj-

Calendar No. 1212

90TH CONGRESS
2D SESSION

S. 3058

[Report No. 1234]

IN THE SENATE OF THE UNITED STATES

FEBRUARY 29, 1968

Mr. JACKSON (by request) introduced the following bill; which was read twice
and referred to the Committee on Interior and Insular Affairs

JUNE 13, 1968

Reported by Mr. JACKSON, with an amendment

[Omit the part struck through and insert the part printed in italic]

A BILL

To amend the Water Resources Planning Act to revise the authorization of appropriations for administering the provisions of the Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 401 of the Water Resources Planning Act
4 (Public Law 89-80; 79 Stat. 244) is amended to read as
5 follows:

6 “SEC. 401. There are authorized to be appropriated to
7 carry out the provisions of this Act—

8 ~~“(a) such amounts as may be necessary to admin-~~

1 ister the provisions of titles I, II, III, and IV: *Pro-*
2 vided, That not to exceed \$400,000 annually shall be
3 available to administer the provisions of title III; and

4 “(a) such amounts as may be necessary for the
5 administration of the Act: *Provided, That not to exceed*
6 \$1,500,000 annually shall be available until the expira-
7 tion of the program established by title III, and not to
8 exceed \$1,100,000 annually shall be available thereafter;
9 and

10 “(b) not to exceed \$6,000,000 annually to carry
11 out the provisions of title II: *Provided, That not more*
12 than \$750,000 annually shall be available for any single
13 river basin commission.”

90TH CONGRESS
2D SESSION

S. 3058

[Report No. 1234]

A BILL

To amend the Water Resources Planning Act to
revise the authorization of appropriations
for administering the provisions of the Act,
and for other purposes.

By Mr. JACKSON

FEBRUARY 29, 1968

Read twice and referred to the Committee on Interior
and Insular Affairs

JUNE 13, 1968

Reported with an amendment

June 18, 1968

12. TRADE POLICY. Rep. Broyhill, N.C., expressed concern about "the serious economic problem which imports are causing for some of our major industries" and inserted his testimony on this subject. pp. H5091-2
13. TRADEMARKS. Received from Treasury a proposed bill to amend the Trademark Act of 1946 to provide an exemption from the restrictions of the trademark laws; to Ways and Means Committee. p. H5095

SENATE

14. CREDIT UNIONS. The Banking and Currency Committee reported with amendments H. R. 14907, to amend the Federal Credit Union Act (S. Rept. 1265). p. S7360
15. POVERTY. Received from the President a report of the National Advisory Council on Economic Opportunity. p. S7420
16. WATER RESOURCES. Passed as reported S. 3058, to increase authorizations for water resources planning activities. The act is amended to "increase from \$700,000 to \$1,500,000, the amount authorized to be appropriated annually for the administrative functions of the Water Resources Council under all titles of the act." pp. S7341-2
17. SURPLUS PROPERTY. Passed without amendment S. 1974, to amend the Federal Property and Administrative Services Act of 1949, as amended, to make foreign generated surplus property available to domestic agencies. pp. S7356-8
18. EXPORT-IMPORT BANK. Passed with amendment H. R. 16162, to improve the U. S. balance-of-payments situation through loan and other programs of the Export-Import Bank (pp. S7388-92). S. 3218, a companion bill, was indefinitely postponed (p. S7391).
- Sen. Smathers announced that the Select Committee on Small Business will hold hearings on a bill to augment the authority of the Export-Import Bank Thurs., June 20, 1968. pp. S7363-4
19. CONSERVATION. Conferees were appointed on S. 1401, to amend title I of the Fish and Water Conservation Fund Act of 1965 (pp. S7404-11). House conferees have not yet been appointed.
- Sen. Metcalf inserted the partial text of Sen. Kuchel's address on new concepts in recreation, conservation, and resource developments. pp. S7371-2
20. MILITARY CONSTRUCTION. Began consideration of H. R. 16703, the military construction bill, which includes funds for payment on the debt to the Commodity Credit Corp. for foreign currencies used in prior years to construct military family housing overseas. pp. S7397-404, S7415-20
21. ORGANIZATION. A subcommittee of the Government Operations Committee approved for full committee consideration S. 698, requiring uniform Federal Government cooperation with States in carrying out programs of public development. p. D565
22. FORESTRY. Subcommittee of the Interior and Insular Affairs Committee approved bill, committee action S. 1385, directing that 25 percent of gross revenues from sale of timber on public lands shall be paid to appropriate counties for use for public schools and roads. p. S565

Received from Army and Agriculture a notification of a proposed interchange of jurisdiction of civil works and national forest lands (Kinzua Dam and Allegheny Reservoir, N. J., and Pa.) by the Department of the Army and the Department of Agriculture. p. S7359

23. YEARBOOK. Sen. McGee inserted an article which quotes Interior's yearbook as maintaining that hope lies chiefly in "understanding the totality of the problem of survival." pp. S7364-5
24. FLOODWAY. Sen. Yarborough inserted resolutions from two Tex. counties supporting the Rio Grande River floodway improvement plan. pp. S7380-1
25. FOOD. Sen. Hartke inserted articles concerning fortification of cereal products as a means to improve nourishment levels substantially without increasing agricultural output. pp. S7381-2

EXTENSION OF REMARKS

26. OPINION POLL. Rep. Harvey inserted the results of a questionnaire, including items of interest to this Department. p. E5502
27. HEALTH. Rep. Curtis inserted an editorial commenting on a dialog on the accuracy of cost estimates of governmental health care programs. pp. E5503-8
28. PERSONNEL. Rep. Hall stated that his proposed freedom of choice bill is gaining support and inserted an article, "Public Employee Unionism." p. E5509
29. WATERSHEDS. Rep. Scherle stated that "President Johnson has a stranglehold on the small watershed program." pp. E5530-1
30. TAXATION. Rep. Ullman inserted an article, "Tax Increase Seen as Must." pp. E5531-2
31. POLLUTION; PESTICIDES. Rep. Dingell inserted a report and recommendations pertaining to pesticides and environmental pollution. pp. E5538-9
32. FOREIGN TRADE. Rep. Ottinger inserted an article which suggests that certain restrictions on trade might have effects precisely contrary to those which were intended. p. E5552
33. WILD ANIMAL IMPORTS. Rep. Rogers, Fla., said that this Department "should take a more active role in policing potentially dangerous, indeed lethal, animals which are being imported into this country." p. E5554
34. MEAT INSPECTION. Rep. Smith, Ia., stated that the fight for clean meat is not over and inserted testimony in support of a Federal poultry inspection bill. pp. E5563-6

Senate

TUESDAY, JUNE 18, 1968

The Senate met at 12 noon, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer: Almighty God, the reality behind all earth's shadows: Seeing that we spend our days as a tale that is told and that we pass this way but once, keep us from unkind words and from unkind silences, yet sure and strong in the faith that is in us.

Enrich us with those durable satisfactions of life so that the multiplying years may not find us bankrupt in those things that matter most—the golden currency of faith, and hope, and love.

May we follow the gleam of the highest and best we know, as it leads o'er moor and fen and crag and torrent till the evening comes and the fever of life is over, and our work is done.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, June 17, 1968, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 449. An act to provide for the popular election of the Governor of Guam, and for other purposes;

S. 450. An act to provide for the popular election of the Governor of the Virgin Islands, and for other purposes;

S. 1251. An act to make certain reclamation project expenses nonreimbursable; and

S. 3159. An act authorizing the Trustees of the National Gallery of Art to construct a building or buildings on the site bounded by Fourth Street, Pennsylvania Avenue, Third Street, and Madison Drive Northwest, in the District of Columbia, and making provision for the maintenance thereof.

The message also announced that the House had passed the bill (S. 222) to insure that public buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed a bill (H.R. 15562) to extend the expiration date of the act of September 19, 1966, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 785) relating to the pay of the U.S. Capitol Police Force for duty performed in emergencies, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 2276. An act to amend the Watershed Protection and Flood Prevention Act to permit the Secretary of Agriculture to contract for the construction of works of improvement upon request of local organizations;

S. 2914. An act to authorize the further amendment of the Peace Corps Act; and

H.R. 6157. An act to amend section 3620 of the Revised Statutes with respect to payroll deductions for Federal employees.

HOUSE BILL REFERRED

The bill (H.R. 15562) to extend the expiration date of the act of September 19, 1966, was read twice by its title and referred to the Committee on Agriculture and Forestry.

HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 785) relating to the pay of the U.S. Capitol Police force for duty performed in emergencies, was referred to the Committee on Rules and Administration.

COMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Commerce be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

OBJECTION TO COMMITTEE MEETING

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Labor and Public Welfare be authorized to meet during the session of the Senate today.

Mr. DIRKSEN. Mr. President, I am compelled to object.

The PRESIDENT pro tempore. Objection is heard.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 1212 and 1215.

The PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT OF THE WATER RESOURCES PLANNING ACT

The Senate proceeded to consider the bill (S. 3058) to amend the Water Resources Planning Act to revise the authorization of appropriations for administering the provisions of the act, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with an amendment; on page 1, after line 7, strike out:

(a) such amounts as may be necessary to administer the provisions of titles I, II, III, and IV: *Provided*, That not to exceed \$400,000 annually shall be available to administer the provisions of title III; and

And, in lieu thereof, insert:

(a) such amounts as may be necessary for the administration of the Act: *Provided*, That not to exceed \$1,500,000 annually shall be available until the expiration of the program established by title III, and not to exceed \$1,100,000 annually shall be available thereafter; and

So as to make the bill read:

S. 3058

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 401 of the Water Resources Planning Act (Public Law 89-80; 79 Stat. 244) is amended to read as follows:

"SEC. 401. There are authorized to be appropriated to carry out the provisions of this Act—

"(a) such amounts as may be necessary for the administration of the Act: *Provided*, That not to exceed \$1,500,000 annually shall be available until the expiration of the program established by title III, and not to exceed \$1,100,000 annually shall be available thereafter; and

"(b) not to exceed \$6,000,000 annually to carry out the provisions of title II: *Provided*, That not more than \$750,000 annually shall be available for any single river basin commission."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1234), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE MEASURE

The purpose of this legislation, which was proposed by the administration, is to revise the authorization of appropriations for the administrative expenses of carrying out the provisions of the Water Resources Planning Act (79 Stat. 244). The act is amended to increase from \$700,000 to \$1,500,000, the amount authorized to be appropriated annually for the administrative functions of

the Water Resources Council under all titles of the act.

BACKGROUND

The Water Resources Planning Act of 1965 established the Water Resources Council and assigned to it a number of functions relating to the coordination of planning for the conservation, development, and utilization of the water and related land resources of the United States. Title I of the act sets forth the Council's functions in the administration of the provisions of the act. Section 401 of the act authorizes " * * * to be appropriated not to exceed \$300,000 annually, to carry out the provisions of title I * * *".

Section 401 further authorizes " * * * not to exceed \$400,000 annually for the administration of title III". Title III establishes a program of grants to the States for comprehensive water and related land resources planning.

The Water Resources Council is now established and operating. Its estimated expenditures under title I are \$290,000 for fiscal year 1968. The fiscal year 1969 budget includes \$311,000 for these activities, which is in excess of the appropriation limitation of the act. Because of passage of the Federal Salary Act of 1967 and other factors, programs exceeding \$300,000 are anticipated in future years.

Estimated expenditures for the administration of title III are \$220,000 for fiscal year 1968 and \$235,000 for fiscal year 1969.

PRESENT LEGISLATION

On February 24, 1968, the Water Resources Council submitted to the Congress proposed legislation to amend the Water Resources Planning Act. The legislation, by substituting new language for section 401 of the act, would entirely remove the limitation on appropriations to carry out the provisions of title I. The other provisions of section 401 would not be changed by the proposed amendment.

The Subcommittee on Water and Power Resources held an open hearing on April 22, 1968, to take testimony on the bill, S. 3058, submitted by the Water Resources Council.

COMMITTEE AMENDMENT

The committee amended the bill by deleting language which would retain the limitation of \$400,000 annually for the administration of title III, but which would completely remove the limitation on authorizations for other administrative functions of the Council, and substituting instead language which would provide a new limitation of \$1,500,000 for all administrative functions of the Council under the act. The amendment further provides that when the program established by title III expires, the limitation will be reduced to \$1,100,000 annually to reflect the reduced responsibility.

It is the intention of the committee to provide the necessary authority for the Council to obtain adequate appropriations to effectively carry out its responsibilities under the Water Resources Planning Act. The committee recognizes that increasing costs for personnel services and operating experience gained by the Council may indicate the desirability of providing additional funds in future years.

A small increase in the limitation is necessary to cover the Council's appropriation request for fiscal year 1969. In testimony before the subcommittee on Water and Power Resources, administration witnesses indicated that further increases will be necessary to provide adequate staff for the various activities in which the Council is engaged. The administration has recommended the elimination of any limitation so that such increases may be requested, as necessary, in the appropriation process.

The committee has decided to retain a limitation and has set it at \$1,500,000 to cov-

er foreseeable increases in the cost of the Council's administrative functions including the future funding of economic studies which are presently being funded by transfers from several Federal departments and agencies. The new limitation is based upon estimates of future requirements which were provided by the Water Resources Council at the request of the committee. The derivation of the limitation is as follows:

Present limitations:	
Title I-----	\$300,000
Title III-----	400,000
Subtotal-----	700,000
Future costs of economic studies now funded by other agencies--	250,000
Increased costs of administration anticipated-----	550,000
Total new limitation-----	1,500,000

The anticipated increase in administrative costs of \$550,000 includes \$200,000 which would not be required annually but only in those years in which national assessment reports are being finalized.

The committee has substituted a single limitation for the two limitations provided in the act. The separation of the authorization for administering title III from that for administering the remainder of the act imposes unwarranted accounting problems, because the Council is a small organization in which particular individuals often perform duties in connection with title III as well as other provisions of the act. It is anticipated, however, that the costs of administering the title III program will not exceed \$400,000 and the total limitation will be reduced by that amount at the expiration of the program.

In testimony before the Subcommittee on Water and Power Resources, administration witnesses discussed the Council's activities regarding the establishment of principles, standards, and procedures for the formulation and evaluation of Federal water and related land resources projects. Specific mention was made of the Council's current consideration of revision of the discount rate formula set forth in the present principles, standards, and procedures, approved by the President on May 15, 1962, and printed as Senate Document 97, 87th Congress, second session.

The committee believes that the Council should give attention to all of the criteria utilized in the economic analysis of water resource projects, of which the discount rate is only one part.

Of particular concern is the impact of water resource development upon other economic and social objectives of the Nation. The committee feels that the present interpretation of Senate Document 97 results in benefit analyses which place little or no emphasis upon the indirect and secondary effects of projects. As a result, projects are being formulated and proposed which optimize the value to the direct beneficiaries and neglect the impact, both beneficial and detrimental, upon other sectors of the economy and society. To facilitate more valid consideration of investments in water resource development in relation to other Federal programs, the economic analyses of projects should reflect the broadest scope of potential benefits and costs which will result from the implementation of proposals.

The committee believes that the promulgation of new discount formula should appropriately be made a part of a reconsideration and restatement of principles, standards, and procedures for economic analyses of Federal water and related land resource projects.

COMMITTEE RECOMMENDATIONS

The Interior and Insular Affairs Committee recommends that S. 3058, as amended, be enacted.

SUSPENSION OF DUTY ON ELECTRODES USED IN PRODUCING ALUMINUM

The Senate proceeded to consider the bill (H.R. 17104) to extend until July 15, 1969, the suspension of duty on electrodes for use in producing aluminum which had been reported from the Committee on Finance, with an amendment, on page 1, after line 10, insert a new section, as follows:

SEC. 3. Title XI of the Social Security Act is amended by adding at the end thereof the following new section:

'AUTHORITY OF SECRETARY TO MAKE CERTAIN PUBLIC ASSISTANCE PAYMENTS

"SEC. 1122. The Secretary is authorized to make, after March 31 of any fiscal year (beginning with the fiscal year ending June 30, 1968), payments out of any moneys in the Treasury not otherwise appropriated, to States under titles I, IV (except with respect to activities included under part C), V, X, XIV, XVI, and XIX, for months of the last quarter of such fiscal year and for months of the first quarter of the next fiscal year. The obligations incurred and the expenditures made under the preceding sentence for payments under each of such titles for months of the last quarter of any fiscal year shall be charged to the appropriations for such fiscal year or the next fiscal year, and the obligations incurred and the expenditures made under the preceding sentence for payments under each of such titles for months of the first quarter of any fiscal year shall be charged to the appropriations for such fiscal year or the preceding fiscal year."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1235), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

COMMITTEE AMENDMENT

The committee amendment, which adds a new section to the Social Security Act is designed to insure the orderly funding of the medical and other public assistance programs during the final quarter of each fiscal year.

SUSPENSION OF DUTIES ON ELECTRODES FOR USE IN PRODUCING ALUMINUM

The purpose of H.R. 17104, as it passed the House, is to continue until the close of July 15, 1969, the suspension of duties on electrodes imported for use in producing aluminum.

Under the permanent provisions of the Tariff Schedules of the United States, electrodes of the kind covered by the bill are currently dutiable under item 517.61 at 11 percent ad valorem, the first stage of a rate reduction to 6 percent as a result of the tariff concessions agreed to in the Kennedy round. However, the duty on electrodes imported for use in producing aluminum was suspended from October 7, 1965, under Public Law 89-241, until July 15, 1966, and was further suspended by Public Law 89-434 until July 15, 1968.

The committee is informed that the electrodes of the type covered by the bill usually are manufactured by aluminum companies themselves at the site where they are to be

90TH CONGRESS
2D SESSION

S. 3058

IN THE HOUSE OF REPRESENTATIVES

JUNE 19, 1968

Referred to the Committee on Interior and Insular Affairs

AN ACT

To amend the Water Resources Planning Act to revise the authorization of appropriations for administering the provisions of the Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 That section 401 of the Water Resources Planning Act
4 (Public Law 89-80; 79 Stat. 244) is amended to read as
5 follows:

6 “SEC. 401. There are authorized to be appropriated to
7 carry out the provisions of this Act—

8 “(a) such amounts as may be necessary for the
9 administration of the Act: *Provided*, That not to exceed
10 \$1,500,000 annually shall be available until the expira-

1 tion of the program established by title III, and not to
2 exceed \$1,100,000 annually shall be available thereafter;
3 and

4 “(b) not to exceed \$6,000,000 annually to carry
5 out the provisions of title II: *Provided*, That not more
6 than \$750,000 annually shall be available for any single
7 river basin commission.”

Passed the Senate June 18, 1968.

Attest:

FRANCIS R. VALEO,

Secretary.

—

AN ACT

To amend the Water Resources Planning Act to revise the authorization of appropriations for administering the provisions of the Act, and for other purposes.

JUNE 19, 1968

Referred to the Committee on Interior and Insular
Affairs

Sept. 4, 1968

10. RECLAMATION. Received the conference report on S. 1004, to authorize the construction, operation, and maintenance of the central Arizona project, Arizona, Mex. (H. Rept. 1861). pp. H8231-9
- The Interior and Insular Affairs Committee reported S. 224, to provide for the rehabilitation of the Eklutna project, Alaska (H. Rept. 1852). p. H8301
11. WATER RESOURCES. The Interior and Insular Affairs Committee reported with amendment S. 3058, to revise the authorization of appropriations for administering the provisions of the Water Resources Planning Act (H. Rept. 1858). 1853. Received the conference report on S. 20, to provide for a comprehensive review of national water resource problems and programs (H. Rept. 1862). p. H8239
12. FARM PROGRAM. Rep. Findley objected to the request for a conference on H. R. 17126, the farm bill (p. H8257), and stated several reasons for his objection (pp. H8296-7).
13. REPORTS. Received from the Government Operations Committee the following reports: "U. S. Aid Operations in Latin America Under the Alliance for Progress" (H. Rept. 1849). "Criteria for Support Service Cost Comparisons" (H. Rept. 1850). "Problem of the Poor: Supermarket Operations in Low-income Areas and the Federal Response" (H. Rept. 1851). p. H8301
14. PERSONNEL. The Post Office and Civil Service Committee reported with amendment H. R. 17954, to correct certain inequities and relieve certain liabilities arising out of overpayments of compensation to Government employees as a result of administrative error in the application of certain provisions of the Classification Act of 1949, the Federal Employees Salary Act of 1964, and other provisions of law (H. Rept. 1863). p. H8302
15. MANPOWER. Began debate on H. R. 15045, to extend certain expiring provisions under the Manpower Development and Training Act of 1962. pp. H8241-2, H8246-57
16. APPROPRIATIONS. Rep. Mahon summarized the unfinished appropriations business and stated that when the foreign assistance and the closing supplemental bills are reported the House will have reduced budgeted expenditures for 1969 by a figure approaching \$4 billion. pp. H8239-40
17. APPLES. Rep. Horton announced preparations for the annual apple harvest festival next week in Wayne County, New York. pp. H8297-8

EXTENSION OF REMARKS

18. U. S.-MEXICAN AFFAIRS. Rep. Roybal commended and inserted the first annual report of the Federal Inter-Agency Committee on Mexican American Affairs. pp. E7629-33

19. FARM PRICES. Rep. Zwach stated that the "monthly USDA report on prices received by farmers in relation to farm costs reveal the deary news that the farm parity level remained frozen at near depression levels of 73 percent." p. E7638
20. FARM PROGRAM. Rep. Steed objected to a \$20,000 payment limitation on the farm bill. p. E7639
21. RECREATION. Rep. O'Hara, Mich., requested immediate establishment of Sleeping Bear Dunes Recreation Area before it becomes "another of America's lost conservation opportunities." pp. E7643-4
22. PESTICIDES. Rep. Dingell stated that the growing use of pesticides and herbicides poses a greater threat to fish and wildlife resources, and inserted an article, "DDT Moves with Runoff Waters." p. E7654
23. REPORTS. Several Representatives reported on recent activities of the Congress. pp. E7654-5, E7655-6, E7670-1, E7672
24. WATER CONSERVATION. Rep. Ullman inserted an article, "A Farmer's View--Water Needs Call for Action." pp. E7660-1
Rep. Fuqua commended and inserted Hollis Williams', SCS, speech "as an outstanding speech on the organization and responsibilities of soil and water conservation districts." pp. E7663-4
25. MANPOWER. Rep. Scherle suggested that the manpower program needs a review and expressed his objection to the "administration of the program, and the lack of control and monitoring of expenditures." pp. E7665-6

BILLS INTRODUCED

26. FARM CREDIT. S. 3986 by Sen. Ellender and H. R. 19418 by Rep. Poage, to amend the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, to expedite retirement of Government capital from Federal intermediate credit banks, production credit associations and banks for cooperatives; to S. Agriculture and Forestry and H. Agriculture Committees.
27. PERSONNEL. H. R. 19411 by Rep. Baring, to provide for improved employee-management relations in the Federal service; to Post Office and Civil Service Committee.
H. R. 19421 by Rep. Fulton, Pa., to amend the Federal employees and retired Federal employees health benefits programs to insure that retired Federal employees do not have to pay twice for benefits which are provided both under such programs and under the health insurance program for the aged under the Social Security Act; to Post Office and Civil Service Committee.
28. FISHERIES. H. R. 19414 by Rep. Monagan, to extend the provisions of the Commerical Fisheries Research and Development Act of 1964; to the Merchant Marine and Fisheries Committee.

AMENDING THE WATER RESOURCES PLANNING ACT

SEPTEMBER 4, 1968.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. JOHNSON of California, from the Committee on Interior and Insular Affairs, submitted the following

REPORT

[To accompany S. 3058]

The Committee on Interior and Insular Affairs, to whom was referred the bill (S. 3058) to amend the Water Resources Planning Act to revise the authorization of appropriations for administering the provisions of the act, and for other purposes, having considered the same, report favorably thereon with an amendment and recommends that the bill as amended do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert the following:

That section 401 of the Water Resources Planning Act (Public Law 89-80; 79 Stat. 244) is amended by deleting "\$300,000" and inserting in lieu thereof "\$500,000".

H.R. 15731, the House companion bill to S. 3058, was introduced by Chairman Aspinall (by request).

PURPOSE

The purpose of S. 3058, as amended, is to increase from \$300,000 to \$500,000 the amount authorized to be appropriated annually for administering the provisions of title I of the Water Resources Planning Act which establishes the Water Resources Council and specifies its authorities and responsibilities.

COST

S. 3058 provides for an increase of \$200,000 annually in the amount authorized to be appropriated by the Water Resources Planning Act.

BACKGROUND

The Water Resources Council was established by the Water Resources Planning Act of 1965 to coordinate river basin plans and maintain a continuing study of water supply requirements and management. It is composed of the Secretaries of Agriculture, Army, HEW, Interior, and Transportation and the Chairman of the Federal Power Commission.

This committee's report on the Water Resources Planning Act included this statement:

The committee believes that the Water Resources Council * * * will provide an effective mechanism not only for guiding our national water planning effort but also for bringing the agency heads together on a regular basis for coordinated planning of their respective program responsibilities and for resolving interagency conflicts.

Notwithstanding the important responsibilities assigned to the Council, it has always been the position of the committee that the Council should not establish a large staff. A small but highly specialized staff was envisioned which would conduct its work primarily through existing departments and agencies and the river basin commissions established pursuant to title II of the Planning Act. At the time the Water Resources Planning Act was approved by the committee, the annual cost for the administrative functions of the Council was estimated at \$150,000, and this was the amount authorized in the House bill. The committee of conference increased the amount to \$300,000, the amount presently authorized to be appropriated.

The legislation recommended by the Chairman of the Water Resources Council on February 2, 1968, asked for removal of the \$300,000 limitation for administering the provisions of title I of the Planning Act. The committee does not believe that such action would be justified in present circumstances, though it agrees that a modest increase in the present limitation can be supported.

COMMITTEE AMENDMENT

The effect of the committee amendment to S. 3058 is to allow an increase of \$200,000 annually in the amount authorized to be appropriated for the administrative functions of the Water Resources Council. This is a reduction of \$600,000 from the amount authorized by the Senate. The committee believes that \$500,000 annually is sufficient to permit the Council to carry out all of its statutory duties in a proper and efficient manner.

The committee recognizes that title I of the Planning Act and title III, which authorizes matching financial grants to the States, are administered by a single staff even though the amount authorized to be appropriated for administering the two titles is divided in the act. Thus, during the life of the grant program, there would be available to the staff of the Water Resources Council, under the committee amendment, a total of \$900,000 annually. The committee has no objection to a single staff operation without attempting to divide either the staff or the funds available between the two functions.

EXECUTIVE COMMUNICATION

An executive communication from the Chairman of the Water Resources Council recommending this legislation follows:

WATER RESOURCES COUNCIL,
Washington, D.C., February 2, 1968.

Hon. JOHN W. McCORMACK,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Enclosed is a draft of a proposed bill to amend the Water Resources Planning Act (Public Law 89-80; 79 Stat. 244; approved July 22, 1965).

We recommend that this bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

This proposed legislation would revise the authorization of appropriations for administrative expenses in carrying out the provisions of the Water Resources Planning Act that is contained in section 401 of the act. Aside from changing the sequence of the provisions of section 401, the draft bill would make only one change in the substance of the section. It would remove the limitation of \$300,000 annually from the authorization for appropriations for administering the provisions of title I of the act, and substitute an authorization for appropriations in such amounts as may be necessary. The other limitations now contained in section 401 would remain unmodified.

The passage of the Federal Salary Act of 1967 has necessitated either the removal of the limitation for administering the provisions of title I or the curtailment of essential functions. Furthermore, experience under this act since its enactment in July 1965, has pointed to the desirability of removing the appropriation limitation so that consideration may be given in future years to increases in appropriations to better carry out the functions and responsibilities of the Water Resources Council.

AN ACT

To amend the Water Resources Planning Act to revise the authorization of appropriations for administering the provisions of the Act, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 401 of the Water Resources Planning Act (Public Law 89-80; 79 Stat. 244) is amended to read as follows:

"SEC. 401. There are authorized to be appropriated to carry out the provisions of this Act—

"(a) such amounts as may be necessary to administer the provisions of titles I, II, III, and IV: *Provided*, That, not to exceed \$400,000 annually shall be available to administer the provisions of title III; and

"(b) not to exceed \$6,000,000 annually to carry out the provisions of title II: *Provided*, That, not more than \$750,000 annually shall be available for any single river basin commission."

The Bureau of the Budget has advised that enactment of this draft bill would be consistent with the administration's objectives.

Sincerely yours,

STEWART L. UDALL,
Chairman.

COMMITTEE RECOMMENDATION

The Committee on Interior and Insular Affairs recommends enactment of S. 3058, as amended.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman) :

ACT OF JULY 22, 1965 (79 STAT. 244)

* * * * *

TITLE IV—MISCELLANEOUS

AUTHORIZATION OF APPROPRIATIONS

SEC. 401. There are authorized to be appropriated not to exceed **[\$300,000]** *\$500,000* annually, to carry out the provisions of title I of this Act, not to exceed \$6,000,000 annually to carry out the provisions of title II, and not to exceed \$400,000 annually for the administration of title III: *Provided*, That, with respect to title II, not more than \$750,000 annually shall be available for any single river basin commission.

○

Union Calendar No. 757

90TH CONGRESS
2D SESSION

S. 3058

[Report No. 1853]

IN THE HOUSE OF REPRESENTATIVES

JUNE 19, 1968

Referred to the Committee on Interior and Insular Affairs

SEPTEMBER 4, 1968

Reported with an amendment, committed to the Committee of the Whole House
on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

AN ACT

To amend the Water Resources Planning Act to revise the authorization of appropriations for administering the provisions of the Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 401 of the Water Resources Planning Act
4 (Public Law 89-80; 79 Stat. 244) is amended to read as
5 follows:

6 “~~SEC. 401.~~ There are authorized to be appropriated to
7 carry out the provisions of this Act—

8 “~~(a)~~ such amounts as may be necessary for the
9 administration of the Act: *Provided,* That not to exceed
10 \$1,500,000 annually shall be available until the expira-

tion of the program established by title III, and not to exceed \$1,100,000 annually shall be available thereafter; and

“(b) not to exceed \$6,000,000 annually to carry out the provisions of title II: *Provided*, That not more than \$750,000 annually shall be available for any single river basin commission.”

That section 401 of the Water Resources Planning Act (Public Law 89-80; 79 Stat. 244) is amended by deleting “\$300,000” and inserting in lieu thereof “\$500,000”.

Passed the Senate June 18, 1968.

Attest: FRANCIS R. VALEO,
Secretary.

AN ACT

To amend the Water Resources Planning Act to revise the authorization of appropriations for administering the provisions of the Act, and for other purposes.

JUNE 19, 1968

Referred to the Committee on Interior and Insular
Affairs

SEPTEMBER 4, 1968

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

11. LANDS. Passed without amendment S. 3578, to direct the Secretary of Agriculture to release, on behalf of the U.S., a condition in a deed conveying certain lands to the South Carolina State Commission of Forestry so as to permit such Commission, subject to a certain condition, to exchange such lands. This bill will now be sent to the President. H. R. 18207, a similar bill, passed earlier as reported was tabled. pp. H8665-7
- Passed as reported H. R. 17874, to amend the Act providing for the admission of Alaska into the Union in order to extend the time for filing of applications for the selection of certain lands by such State. pp. H8676-7
- Passed with amendment (to substitute the language of H. R. 13797) S. 220, to give the Secretary of the Interior the legislative authority to sell certain parcels of land upon which an agricultural trespass has been recently discovered. H. R. 13797, a similar bill, passed earlier as reported was tabled. pp. H8662-3
- Passed without amendment S. 3687, to direct the Secretary of Agriculture to release on behalf of the U. S. a condition in a deed conveying certain lands to the State of Ohio. This bill will now be sent to the President. H. R. 18033, a similar bill, passed earlier without amendment was tabled. pp. H8664-5
- Passed as reported H. R. 4530, to authorize the Secretary of the Interior to sell at fair market value the mineral estate in lands heretofore or hereafter patented under the Color of Title Act without regard to whether the lands are subject to a mineral lease or mineral withdrawal. p. H8662
12. MILITARY CONSTRUCTION. Conferees were appointed on H. R. 18785, the military construction appropriation bill, 1969. This bill includes funds for payment to the Commodity Credit Corporation on the indebtedness for housing constructed in foreign countries with foreign currencies derived from the sale of surplus commodities. Senate conferees have been appointed. p. H8657
13. INTEREST RATES. Passed under suspension of the rules S. 3133, to extend for two years the authority for more flexible regulation of maximum rates of interest or dividends, higher reserve requirements, and open market operations in agency issues. H. R. 16092, a similar bill, was tabled. pp. H8695-700
14. INTERGOVERNMENTAL COOPERATION. Passed with amendment (to substitute the language of H. R. 18826) S. 698, to strengthen State and local government and improve the relations between those governments and the Federal Government through closer cooperation and coordination of policies and activities, particularly in the administration of Federal grant and loan programs for development assistance and by other means. H. R. 18826, a similar bill, passed earlier under suspension of the rules was tabled. pp. H8705-25
15. FISH PROTEIN. Passed, 218-102, under suspension of the rules S. 3030, to authorize the Secretary of the Interior to develop, through the use of an experiment and demonstration plant, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate. pp. S8725-30

16. IAW. Passed with amendments H. R. 17864, to amend titles 5, 10, and 37 of the U. S. Code so as to incorporate recently enacted amendments. p. H8659
17. GUAM. Passed without amendment S. 3072, to authorize additional funds to complete the rehabilitation of the public sector of Guam from the devastation of World War II, and typhoons in 1962 and 1963. This bill will now be sent to the President. H. R. 16801, passed earlier under suspension of the rules was tabled. pp. H8732-4
18. NEGRO HISTORY. Passed, 263-45, under suspension of the rules H. R. 12962, to provide for the establishment of a Commission on Negro History and Culture. pp. H8745-49
19. FISHERIES. Passed with amendment S. 3866, to extend the provisions of the Commercial Fisheries Research and Development Act of 1964. H. R. 18808, a similar bill passed earlier under suspension of the rules, was tabled. pp. H8749-52
20. RECLAMATION. Passed under suspension of the rules S. 3058, to increase the authorization under title I of the Water Resources Planning Act, which establishes the Water Resources Council and specifies its authorities and responsibilities. p. H8753
Passed under suspension of the rules S. 224, to make nonreimbursable the cost of rehabilitation of the Eklutna Federal hydroelectric power project in Alaska because of damage caused by the earthquake in March 1964. pp. H8759-60
21. BUILDINGS; SAFETY. Rejected 197-156, a motion to suspend the rules and pass H. R. 2567, to require conditions of health and safety in construction using Federal funds. pp. H8687-95
22. PERSONNEL. H. R. 17954, to correct certain inequities and relieve certain liabilities arising out of overpayments to Government employees as a result of administrative error in the application of certain provisions of the Classification Act of 1949, the Federal Employees Salary Act of 1964, and other provisions of law; and H. R. 12881, to authorize the payment of allowances to defray commuting expenses of civilian employees of executive agencies assigned to duty at remote worksites, were passed over without prejudice. p. H8671
23. HUNGER. Rep. Battin criticized the administration of the food distribution programs. p. H8776
24. ROADS. Reps. Poff and Cramer deplored inclusion of cuts in the highway program in the expenditure cuts made necessary by provisions of the Revenue and Expenditure Control Act. pp. H8774-5, H8779-80
25. POVERTY. Rep. Steiger called for oversight to prevent "wide-scale diversion and dissipation of antipowerty funds." p. H8774

had been set some time previously on the basis that Congress would have adjourned by this time. As the House has unexpectedly come into session after the recess for the two party conventions, it was necessary for me to conform to this previous commitment in Arizona.

Had I been present, on rollcall No. 311, the motion for final passage of H.R. 10564, I would have voted "nay."

AMENDING THE WATER RESOURCES PLANNING ACT

Mr. JOHNSON of California. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3058) to amend the Water Resources Planning Act to revise the authorization of appropriations for administering the provision of the act, and for other purposes, as amended.

The Clerk read as follows:

S. 3058

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 401 of the Water Resources Planning Act (Public Law 89-80; 79 Stat. 244) is amended by deleting "\$300,000" and inserting in lieu thereof "\$500,000".

The SPEAKER. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. ASPINALL. Mr. Speaker, the purpose of S. 3058 is to provide for a modest increase in the amount authorized to be appropriated annually for administering the provisions of title I of the Water Resources Planning Act.

My colleagues will remember that in 1965 Congress enacted legislation to establish procedures for planning the development and utilization of the water and related land resources of the United States on a comprehensive, coordinated, and cooperative basis by the Federal Government, States, localities, and private enterprise. I am referring, of course, to the Water Resources Planning Act, and it was title I of that act which established the Water Resources Council and specified its authorities and responsibilities. This is a Cabinet-level group composed of the Secretaries of the Interior, the Army, Agriculture, Health, Education, and Welfare, and Transportation, and the Chairman of the Federal Power Commission.

The primary mission of the Water Resources Council is to coordinate river basin plans and maintain a continuing study of water supply requirements and management. The Council has responsibility for establishing principles, standards, and procedures for Federal participants in the preparation of comprehensive regional or river basin plans.

The Council also will review plans submitted to it by river basin commissions prior to their submission to the President and to Congress.

It has been the hope of our committee that the Water Resources Council will provide an effective mechanism not only for guiding our national water planning efforts but also for coordinating Federal water programs and resolving inter-agency conflicts.

While recognizing the important mission and responsibilities given to the Water Resources Council, it has always been the position of our committee that the Council should not establish a large staff. A small but highly specialized staff was envisioned which would conduct its work primarily through the existing departments and agencies and the river basin commissions established pursuant to title II of the Planning Act.

At present time, the Water Resources Planning Act contains language which places a limitation of \$300,000 annually on the amount authorized for administering the provisions of title I. The committee believes that a modest increase in the present ceiling is justified and can be supported. However, the committee did not agree with the administration which asked for removal of the present limitation and recommended that there be no limitation. Nor did the committee agree with the other body which approved an \$800,000 increase in the amount authorized to be appropriated. The committee approved and recommends to the House an increase of \$200,000 annually in the amount authorized to be appropriated for administering the provisions of title I of the Water Resources Planning Act.

Mr. Speaker, I urge that S. 3058 as amended be approved.

Mr. SAYLOR. Mr. Speaker, I rise in support of S. 3058, a bill to amend the Water Resources Planning Act—Public Law 89-80; 79 Stat. 244.

The purpose of this legislation is to increase the authorization of appropriations for the administration of title I of the Water Resources Planning Act. The amount of the increase is \$200,000 annually.

The Water Resources Planning Act has three principal titles. Title I established the Water Resources Council and sets forth its authority and responsibility. Title II of the act authorizes the establishment of Federal-State regional or river basin planning commissions. Title II of the act authorizes matching financial grants to States.

Mr. Speaker, the thrust of this legislation is for an increase in the amount authorized to carry out the administrative functions under the Water Resources Planning Act. The Executive communication which resulted in this legislation called for an open ended authorization in order to provide flexibility in carrying out the administrative functions of the Water Resources Council. The Committee on Interior and Insular Affairs has provided an increase in the amount authorized to carry out these functions but not in the manner requested by the executive departments.

While I will agree that flexibility is needed in planning and funding under the original act, such planning and funding can be accomplished and should be accomplished within the fiscal limitations set forth in the act. This, I think, is especially true when the Water Resources Council is just over 3 years of age and has in fact been functioning as a council for less than 3 years.

Mr. Speaker, the Committee on Interior and Insular Affairs has provided an increase of \$200,000 annually in this legislation. It is the opinion of the com-

mittee that the administrative provisions of the act can be carried out without removing the limitations of the act for administering the provisions of title I or any curtailment in the essential function of the Water Resources Council.

Mr. Speaker, I urge that the rules be suspended and S. 3058 be passed.

The SPEAKER. The question is on the motion of the gentleman from California that the House suspend the rules and pass the bill S. 3058, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CARL SANDBURG HOME NATIONAL HISTORIC SITE, N.C.

Mr. ASPINALL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 13099) to authorize the establishment of the Carl Sandburg Home National Historic Site in the State of North Carolina, and for other purposes, as amended.

The Clerk read as follows:

H.R. 13099

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to acquire, by donation or purchase with donated or appropriated funds, all or any part of the property and improvements thereon at Flat Rock, North Carolina, where Carl Sandburg lived and worked during the last twenty years of his life, comprising approximately two hundred and forty-two acres, together with approximately six acres of adjacent or related property which the Secretary may deem necessary for establishment of the Carl Sandburg Home National Historic Site.

Sec. 2. The national historic site established pursuant to this Act shall be administered by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented (16 U.S.C. 1 et seq.), and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-467).

Sec. 3. There are authorized to be appropriated the sums of \$225,000 for the acquisition of lands and interests in lands and \$952,000 for development expenses incurred pursuant to the provisions of this Act.

The SPEAKER. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Colorado is recognized for 20 minutes.

Mr. ASPINALL. Mr. Speaker, I rise in support of the bill, H.R. 13099 by our colleague, Congressman Roy A. TAYLOR, of North Carolina. The purpose of the bill is to establish the Carl Sandburg

Home National Historic Site. I commend ROY TAYLOR for introducing this bill and for bringing it to the floor, and I urge passage of the bill.

Since Congressman TAYLOR is here and can explain the details of the bill, there is no necessity for me to say very much. I merely point out that the 242 acres to be acquired under this bill at a cost of not more than \$225,000 are the farm on which Carl Sandburg lived from 1945 until his death in 1967. The house in which he lived and worked during these last 21 years of his life is here and filled with memorabilia which Mrs. Sandburg proposes donating to the Government.

There is no question, I suppose, about the greatness of the contributions that Carl Sandburg made to the literature and history of this country. Quite apart from the value of his poetry, the great six-volume biography of Lincoln, which won him a Pulitzer Prize in 1940, will live as a monument of scholarship and writing.

It is, in my judgment, altogether fitting that his home and farm be included in our national park system as an historic site so that, during the years to come, Americans who visit it may imbibe something of the spirit of the man who lived and wrought there. Mr. Speaker, I want to add to this just one more word—a word of thanks to Mrs. Sandburg for her generosity and for her contributions to the enterprise we are embarking on.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to my friend, the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding.

Mr. Speaker, if I have figured out correctly the amount of money to be expended under the terms of this bill for land acquisition would amount to about \$930 an acre for the so-called Sandburg farm in North Carolina.

Would that be approximately correct?

Mr. TAYLOR. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman.

Mr. TAYLOR. I have not figured it out. But there are 241 acres and the price is \$225,000.

I might state to the gentleman that originally the Department of the Interior recommended acquiring 26 additional acres at a cost of \$190,000. The subcommittee thought this additional acreage and the expenditure was too elaborate and we asked them to revise their study.

After making a new appraisal of the situation and after making new field studies, the Department came in with a revised plan and limited the acreage to the Sandburg property with only 6 additional acres. By cutting out the 26 extra acres, we saved \$190,000.

So we probably are getting this at a bargain price especially in relation to other property and all the furniture and other furnishings and the mementos of this great poet are being donated by Mrs. Sandburg.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman.

Mr. GROSS. If it is anywhere near \$938 an acre it is not a bargain price, I will say to the gentleman, because that is a lot of money for so-called farmland—and a goat farm at that, as I understand it. All they raised on this farm was goats. What are we doing here anyway?

Mr. ASPINALL. May I reply to my colleague, the gentleman from Iowa, that the land is valuable land. It is true that Mr. Sandburg who was an artist and an author and a poet did see fit to use the land for the purpose that the gentleman suggests. On the other hand, the land is located in an area where it has more value than ordinary farmland would have, and because of the values attendant to it, we thought it would be necessary to appropriate this amount of money with the understanding that the money that would be allowed would be in accordance with the appraised price and Mrs. Sandburg has already accepted that, and has approved the operation.

Mr. GROSS. I will say to my friend, the gentleman from Colorado, that this is not a former President of the United States. I just do not understand what we are doing. Why does not the State of North Carolina take over this farm and operate it in any way that it sees fit as a memorial, if that is what they want to call it?

Mr. ASPINALL. Mr. Speaker, I do not want to prolong this discussion in this respect, but I do want the gentleman from Iowa to be satisfied.

I would say that the personality of Mr. Sandburg more than likely equals that of many of our Presidents. But that is not really the question that is involved here.

The State of North Carolina has given to the United States of America perhaps more money in order to take care of the acquisition of lands and the donation of lands, and so forth, for national park facilities, than any other State.

In this particular respect, however, here is a national figure. He was not a North Carolinian. He was not a North Carolinian except at the time of his death. He was born in the Middle West. He belongs to all of the United States. He belongs to the ages as far as his contributions are concerned. I think that we are only doing that which is justifiable under the circumstances.

Mr. GROSS. Yes, at a cost of \$1,770,000 to begin with, and then a maintenance cost of I do not know how much, probably \$100,000 a year, thereafter.

Mr. ASPINALL. A charge will be made for admission to the area. This is one of those areas where visitors will have to pay in order to see the facilities. I think it is a good investment.

Mr. GROSS. The income might make it even more attractive to the State of North Carolina. If the operation would be profitable, why does not the State take it over?

Mr. ASPINALL. Yes, at the time of his death.

Mr. GROSS. At the time of his death. In fact, he had lived in North Carolina not more than 20 years; is that not about right?

Mr. ASPINALL. I think it was a little bit less than 20 years.

Mr. GROSS. Will we then go over to—where was it—Peoria, or somewhere in Illinois where he was born and put up another memorial to this individual?

Mr. ASPINALL. I doubt that we would have any opportunity, I say to the gentleman from Iowa [Mr. Gross], to take care of this situation in that way.

Mr. TAYLOR. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from North Carolina.

Mr. TAYLOR. The birthplace of Carl Sandburg in Illinois is a State historic site. Mr. Sandburg chose to come to North Carolina about 22 years ago. He spent the last 22 years of his life there. He chose a very beautiful place in a very high-class residential area. A group of citizens from Charleston, S.C., came up to that area and built summer homes on large estates. The property is very valuable. Carl Sandburg did operate a goat farm on it, but it is not a typical farming operation.

We have established sites for many historical figures, including scientists and inventors. Sites have been established in memory of George Washington Carver, Thomas Edison, the Wright brothers, educators such as Booker T. Washington, and a sculptor. Sandburg rates in greatness with all of those men.

Sandburg does not belong to North Carolina. We are proud that he came there. But he belongs to all of America. He stood here on the floor of Congress in 1959, on the 150th anniversary of Abraham Lincoln's birth, and delivered an address. President Johnson said this as a memorial to him after his death:

He was more than the voice of America, more than the poet of its strength and genius. He was America.

Mr. Speaker, H.R. 13099 would acquire "Connemara," the 241-acre home place of the late Carl Sandburg, at Flat Rock, N.C., and about six additional acres needed for development and establish it as a national historic site.

Here in 1945 Carl Sandburg brought his family to begin the last chapter in his rich and valuable career. He lived here until his death on July 22, 1967, which is longer than he lived at any other place. Here he wrote his autobiography, "Always the Young Strangers," his only novel, "Remembrance Rock," his one-volume "Abraham Lincoln," and several books of poetry.

The Department of the Interior originally recommended acquiring 35 additional acres adjoining the Sandburg property for a visitor center and parking lot at a total cost of \$415,000. Members of the House Subcommittee on National Parks and Recreation questioned the advisability of this additional acquisition since the property was very expensive, and requested that a new look be taken at the proposition to see if it would not be possible to locate these improvements on the Sandburg property itself. After additional field studies, the Interior Department presented an alternate plan which would include only the Sandburg property and 6 additional acres, reducing the acquisition cost by \$190,000, to a total of \$225,000. Development cost would be increased by \$67,000. The Department has taken options on all needed property.

14. APPROPRIATIONS. The Appropriations Committee reported with amendments H. R. 18707, the Defense Department appropriation bill, 1969 (S. Rept. 1576). p. S11022
15. TRAILS. Agreed to the conference report on S. 827, to establish a nationwide system of trails. (See Digest 148 for conference provisions.) This bill will now be sent to the President. pp. S11039-40, H8998
16. WATER RESOURCES. Concurred in the House amendment to S. 3058, to revise the authorization of appropriations for administering the provisions of the Water Resources Planning Act. This bill will now be sent to the President. p. S11040
17. REDWOOD NATIONAL PARK. Agreed to the conference report on S. 2515, to authorize the establishment of the Redwood National Park. (See Digest 147 for conference provisions.) This bill will now be sent to the President. pp. S11041-54
18. TAXATION. Began debate on H. R. 2767, to allow farmers an amortized tax deduction for assessments levied by soil and water conservation districts. pp. S11028, S11087, S11104-8, S11113
19. NOMINATION. Received the nomination of Albert Bushong Brooke, Jr., to the Federal Power Commission. p. S11113
20. LANDS. Sen. Williams, N.J., inserted a speech by Sen. Bartlett favoring H. R. 17874, to extend the time for selection of certain lands by Alaska. p. S11081
21. LEGISLATIVE PROGRAM. Sen. Mansfield said the defense appropriation bill will be considered Mon. p. S11097

EXTENSION OF REMARKS

22. FOREST POLICIES. Rep. Aspinall inserted a statement of forest policies of the Society of American Foresters for 1968. pp. E8093-4
23. FARM LABOR. Rep. Utt inserted an article in which a fruitpicker refutes the charges that Calif. farm laborers are under paid. pp. E8094-5
24. LOG EXPORTS. Rep. Teague, Calif., inserted two letters objecting to further restriction on log exports. p. E8095
25. WEIGHTS AND MEASURES. Rep. Monogan inserted an article on the advantages and disadvantages of the metric system. pp. E8099-101
26. CONSUMERS. Rep. Sullivan inserted an article by Rep. Rodino which explains the value to businessmen of good consumer laws. pp. E8102-3
27. FREIGHT RATES. Rep. Curtis commended Maritime Commission in disapproving certain outbound ocean freight rates and stated it was a major step forward and of real help to the U. S. balance of payments. p. E8109

28. DAIRY IMPORTS. Rep. Meskill stated that the administration should "get behind" legislation providing for carefully scaled restrictions on dairy imports. pp. E8116-7
29. APPROPRIATIONS. Rep. Mahon outlined unfinished appropriations matters. pp. E8128-9
30. REPORTS; OPINION POLLS. Several Reps. inserted results of questionnaires and their letters to constituents which include items of interest to this Department. pp. E8101-2, E8106-8, E8117-8, E8123-4

BILLS INTRODUCED

31. TAXATION. S. 4059 by Sen. Metcalf and H. R. 19916 by Rep. Culver, to amend the Internal Revenue Code of 1954 so as to limit the amount of deductions attributable to the business of farming which may be used to offset non-farm income; to Senate Finance and House Ways and Means Committees. Remarks of Sen. Metcalf pp. S11022-37, Rep. Culver E8113-5
H. R. 19909 by Rep. Denney, to provide that the burden of proving that the taxpayer's treatment of certain expenditures is erroneous shall be on the Internal Revenue Service; to Ways and Means Committee. Remarks of author p. E8091
32. DAIRY. H. R. 19910 by Rep. Meeds, to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended; to Agriculture Committee.
33. INFORMATION. H. R. 19913 by Rep. Waldie, to prohibit the furnishing of mailing lists of names or addresses by Government agencies to the public in connection with the use of the U.S. mails; to Post Office and Civil Service Committee. Remarks of author pp. E8091-2
34. YOUTH CORPS. H. R. 19914 by Rep. Wyman, to establish a National Youth Commission to present to the Federal Government the view of the youth of the United States; to Education and Labor Committee.
35. HIGHWAYS. H. R. 19915 by Rep. Baring, to provide that the reduction in expenditures required by Section 202 of the Revenue and Expenditure Control Act of 1968 shall not apply to expenditures from the highway trust fund; to Ways and Means Committee.
36. RETIREMENT. H. R. 19918 by Rep. Purcell, to allow, in a pension plan whose terms or conditions are qualified under section 401 of the Internal Revenue Code of 1954, reasonable differentiation in retirement ages between male and female employees, as well as provisions or requirements for retirement at reasonable ages; to Ways and Means Committee

0

COMMITTEE HEARINGS:

- SEPT. 20: Convey forest lands held for Pueblo Indians, S. Interior (Greeley, FS, to testify). Methods for adjusting Federal salaries, H. Civil Service.
- SEPT. 25: Dairyman's class I base plan, H. Agriculture (Forest, C&MS, to testify).

MODIFICATION OF GLACIER PEAK WILDERNESS, WASH.

Mr. JACKSON. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 1321.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1321) to establish the North Cascades National Park and Ross Lake and Lake Chelan National Recreation Areas, to designate the Pasayten Wilderness and to modify the Glacier Peak Wilderness, in the State of Washington, and for other purposes which was, on page 9, strike out lines 18 through 20 inclusive, and insert:

SEC. 506. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, but not more than \$3,500,000 shall be appropriated for the acquisition of lands or interest in lands.

Mr. JACKSON. Mr. President, the only amendment added to this bill by the House was a ceiling on the appropriation for the acquisition of interests in lands. The amount estimated to be necessary to acquire what few private holdings there are within the boundaries of the area has been approximately \$3.5 million. This was the testimony which was presented before the House and Senate by the executive branch. The overwhelming amount of the land which is involved in the establishment of this superlative park and recreation area is already owned by the public. Therefore, the sponsors of the legislation on the part of the Senate have no objection to the appropriation limitation by the House, which, as I stated, corresponds to the information provided at our hearings.

I move that the Senate concur in the amendment of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Washington.

The motion was agreed to.

Mr. JACKSON. I ask unanimous consent that a statistical summary of S. 1321 be printed at this point in the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

Statistical summary for S. 1321

Area (acres):	
North Cascades National Park	503,500
North unit	303,000
South unit	200,500
Ross Lake National Recreation Area	105,000
Lake Chelan National Recreation Area	62,000
Pasayten Wilderness	520,000
Glacier Peak Wilderness additions	10,000
Total private lands in park and 2 recreation areas	4,000
Costs (only for National Park Service units):	
Acquire private lands in park and recreation areas	\$3,500,000
Development over first 5 years for park and recreation areas	29,000,000
Operation and maintenance, 1st year	300,000
Operation and maintenance, after 5th year	600,000

ESTABLISHMENT OF A NATION-WIDE SYSTEM OF TRAILS—CONFERENCE REPORT

Mr. JACKSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 827) to establish a nationwide system of trails, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The bill clerk read the report.

(For conference report, see House proceedings of September 12, 1968, pages H8583-H8585, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. JACKSON. Mr. President, I believe the conference came up with a good bill to establish a national trails system. The bill, approved by the conference committee, provides for the immediate designation of over 4,300 miles of national scenic trails on each side of the continent. There is authority provided for the establishment of national recreation trails which will not require further authorization by Congress. The Agriculture and Interior Departments should seize upon this method of adding new outdoor recreation opportunities to the inventory available to the American people. This potential for new recreation trails, in my judgment, is one of the most important advantages of the act.

The Senate bill provided for the immediate designation of four national scenic trails—the Appalachian, Potomac Heritage, Northern Continental Divide, and Pacific Crest. The House version would have designated only the Appalachian and placed the other three trails in a study category. The conference committee, however, adopted language which authorizes, in the initial system, the Appalachian Trail and the Pacific Crest Trail. The Potomac Heritage and the Continental Divide Trails will be studied further for possible future inclusion.

A House amendment which requires prior authorization for comprehensive studies of other trails which might eventually be included in the system was adopted by the conference committee.

S. 827, as approved by the conference committee, places new emphasis on the need for the establishment and development of recreation trails in or near urban areas, where the demand for outdoor recreation has mushroomed in recent years. The conference adopted the basic language of the House, which affirms the importance of such trails near cities, but also amended the bill so it does not preclude designation of suitable recreation trails in more remote areas.

The Senate bill provided that 50 acres of land per mile could be acquired in fee or scenic easement, but acquisition in fee was limited to 25 acres per mile. As passed by the Senate originally, the bill also prohibited the use of condemnation where 60 percent of the land in the trail

area is publicly owned. The House language allowing a limit on acquisition of 25 acres per mile of both fee and easements was adopted. Also an amendment was approved which would prohibit condemnation for acquisition of lands on the Pacific Crest Trail, where 80 percent of the land is already publicly owned.

The House version authorized \$5 million for land acquisition for the Appalachian Trail, and the Senate version \$10 million for land acquisition for the first 5 years for the four national scenic trails which it would have established. The conference committee recommends a provision calling for \$5,500,000 for land acquisition for the two trails.

It was the general understanding of the conferees that the Secretaries should prepare comprehensive plans of their proposed development program for the scenic trails under their jurisdiction and present such plans to the Senate and House Committees on Interior and Insular Affairs prior to their request for appropriations. On this basis, the conferees deleted the language of the House amendment limiting the appropriations authorized for development purposes.

Mr. President, I move the adoption of the conference report.

Mr. HANSEN. Mr. President, I rise in support of the conference report to establish a nationwide system of trails. I had the privilege of participating in the conference between the Senate and the House and I believe that the bill which we have returned now to both bodies is a good bill and one which is worthy of support of all Senators.

The bill we returned to the Senate today has been considerably tightened and sharpened by the conference committee. Of particular importance to Westerners is the fact that the Continental Divide Trail has now been placed in a study category which means that both the Department of Agriculture and the Department of Interior will sometime within the next several years be submitting additional material and justification to the Congress concerning this proposed trail. As I have told my Senate colleagues before, that while other trails designated in the bill have historic background, the trail proposed along the Continental Divide has, in reality, never existed. Further, I believe that the Congress must be extremely careful to prevent any legislative erosion of the principles set out in the Wilderness Act, and much of the proposed Continental Divide Trail passes through primitive and wilderness areas in Wyoming. The conference committee was wise in placing this in a study category and I am hopeful that the executive departments concerned will present full justification to the Congress in the future which will assure us of a preservation of the values which have been established by the Wilderness Act.

Of interest to all Senators should be the reaffirmation by the conference committee of the importance attributed to the development of trails near our cities. Heavy use by the hiking and recreation-seeking public can be anticipated in the very near future and it is essential that we concentrate on making recreational facilities such as will be established by

this nationwide system of trails available near urban concentrations.

Other provisions are contained in the bill now which prohibits indiscriminate public acquisition of private lands and provides that on most of the trails in question condemnation proceedings by the Federal Government may not be utilized to acquire fee title or lesser interest to more than 25 acres of any one mile and that when used such authority will be limited to the most direct or practical connecting trail right-of-way.

I believe that the compromise worked out between the Senate and House have resulted in a good bill being brought before us at this time. I urge other Senators to join in supporting this measure which will add one more building block to the great conservation movement which is sweeping our country.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

CORRECTION OF TECHNICAL ERRORS

Mr. JACKSON. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Senate Concurrent Resolution 79. This is simply a measure to allow the enrolling clerk to correct a technical error in the bill to make it conform to the agreement of the conference committee.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Washington?

There being no objection, the concurrent resolution (S. Con. Res. 79) was considered and agreed to, as follows:

S. CON. RES. 79

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate, in the enrollment of the bill, S. 827, entitled "An act to establish a nationwide system of trails, and for other purposes," be authorized to make the following correction: In section 4(a)(1) after the words "such trails are reasonably accessible to urban areas, and" add a comma and insert the word "or" and in section 4(b)(1) at the end of the paragraph delete the comma after the word "and" and delete the word "or".

AMENDMENT OF WATER RESOURCES PLANNING ACT

Mr. JACKSON. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 3058.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3058) to amend the Water Resources Planning Act to revise the authorization of appropriations for administering the provisions of the Act, and for other purposes, which was, strike out all after the enacting clause, and insert:

That section 401 of the Water Resources Planning Act (Public Law 89-80; 79 Stat. 244) is amended by deleting "\$300,000" and inserting in lieu thereof "\$500,000".

Mr. JACKSON. Mr. President, the House granted an increase to the Water Resources Council of \$200,000 per year

for administration over the existing authority. The Senate had provided for somewhat more than that, but we on the Senate side have no objection to the House amendment.

Mr. President, I move that the Senate concur in the amendment of the House. The motion was agreed to.

POLAND'S MOST-FAVORED-NATION TRADE STATUS

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to speak for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of Virginia. Mr. President, following the invasion of Czechoslovakia by forces of the Soviet Union and its satellites—Poland, Bulgaria, East Germany and Hungary—I wrote to Secretary of State Dean Rusk concerning the Department's attitude toward the continuation of Poland's most-favored-nation trade status.

I have great sympathy, Mr. President, for the Polish people. I have been to Poland and known the warmth of the people. But various actions of the Polish Government are most distressing.

I would like to read into the Record the letter which I addressed to the Secretary of State, dated September 5, 1968:

MY DEAR MR. SECRETARY: As a result of Poland's aid to North Vietnam and its repressive measures against Polish Jews, there has been a growing demand for the withdrawal of Poland's most favored nation status.

On July 24, 1967, the State Department rejected these demands in a letter to Congressman Findley of New York. Writing for the Department, Assistant Secretary Macomber said the following: "... we do not believe that this is the time for so drastic an action as the withdrawal of MFN from Poland because the evidence is not conclusive that an opposite trend has developed from that which is described in the attached Presidential determination on Poland."

That Presidential memorandum noted among other things that "... Poland was not a nation dominated or controlled by the foreign government or foreign organization controlling the world Communist movement ... This is still our judgment today."

My letter continues:

In view of the participation of 10,000 Polish troops in the invasion of Czechoslovakia, and Poland's continued aid to North Vietnam, is it still the judgment of the Department that "the evidence is not conclusive" that the Polish government is subservient to the dictates of Moscow?

I would appreciate your early reply to this question.

With best wishes, I am,
Sincerely,

HARRY F. BYRD, JR.

In a letter dated September 17, 1968, and delivered to me yesterday, the Assistant Secretary William B. Macomber, Jr., writing for the Secretary, had this to say in response to my question:

We are unable to judge whether Polish troops were ordered by the Polish Government to take part in this action because of the latter's subservience to Soviet policies or whether the Polish Government acted willingly because it also deemed the signs of liberty in Czechoslovakia as a threat to the security of its own Communist system.

Mr. President, is it really material whether Poland's open aggression was at the prompting of the Soviet Union or whether it was a voluntary act which only happened to be in accord with the Soviet wishes and only happened to be closely coordinated with similar actions by the Soviet Union?

Can the question of motivation in a case like this ever really be resolved? How will we ever prove whether Polish leaders were responding to their own feelings and assessments of the situation in Czechoslovakia, or knuckling under to the expressed desires of the Soviet Union?

In his letter, Secretary Macomber indicates the Department is reviewing the developments in Eastern Europe with a view toward "determining our foreign policy interests and our further position in the circumstances."

The invasion of Czechoslovakia occurred a month ago, and in light of the participation of 10,000 Polish troops in the attack on Czechoslovakia, is there really any doubt about Poland's aggressive foreign policies?

The State Department inaction is important, because it ties in with the fact that our Government has been unwilling to bring financial and diplomatic pressure on those nations which are supplying our enemy in Vietnam.

While the invasion of Czechoslovakia by the Soviet Union and its satellites—including Poland—focuses attention on the problem, the fact is the problem has been there for some time.

Poland is second only to the Soviet Union among East European Communist countries in the number of ships it sends through the port of Haiphong each month. Poland is the only nation sending arms to North Vietnam which enjoys special trade benefits from this country.

The Polish Communist leaders openly boast of their country's aid to the North Vietnamese—witness the statement last year by Mr. Zenon Kliszko, a member of the Polish Communist Party Politburo.

The Associated Press quoted Mr. Kliszko as saying to the North Vietnamese:

We are glad that Polish guns are bringing concrete results to you in your fight. We are giving, and we will continue to give material, political, and military aid.

It has been 3 years since we began our massive buildup in Vietnam where we have suffered more than 200,000 casualties.

Surely it is time we brought all financial and diplomatic pressure on those aiding our enemy.

How else are we going to bring this war to an end?

In that connection, I want to cite the latest casualty figures, the cumulative totals. The official figures for the year 1968, beginning January 1, 1968, through September 17, 1968, show that the United States suffered 86,800 casualties in Vietnam.

The significant aspect of that figure, Mr. President, is that it represents 41 percent of all the casualties we have suffered during the many years we have been in Vietnam.



Public Law 90-547
90th Congress, S. 3058
October 2, 1968

An Act

82 STAT. 935

To amend the Water Resources Planning Act to revise the authorization of appropriations for administering the provisions of the Act, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 401 of the Water Resources Planning Act (Public Law 89-80; 79 Stat. 244) is amended by deleting "\$300,000" and inserting in lieu thereof "\$500,000".

Water Resources
Planning Act,
appropriation
increase.
42 USC 1962d.

Approved October 2, 1968.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 1853 (Comm. on Interior & Insular Affairs).
SENATE REPORT No. 1234 (Comm. on Interior & Insular Affairs).
CONGRESSIONAL RECORD, Vol. 114 (1968):

June 18: Considered and passed Senate.

Sept. 16: Considered and passed House, amended.

Sept. 19: Senate concurred in House amendment.

3540 E

U.S.D.A.
SEA/TIS
LAW LIBRARY
ROOM 1406 SOUTH
WASHINGTON D.C. 20250